

MADISON M'COLLISTER.

The bill (H. R. 2092) granting an increase of pension to Madison McCollister was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Madison McCollister, late of Company K, Ninety-fourth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LULA M. JONES.

The bill (H. R. 8263) granting a pension to Lula M. Jones was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with an amendment, in line 6, before the word "daughter," to insert "and dependent;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lula M. Jones, helpless and dependent daughter of Samuel T. Jones, late captain Company A, Eightieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

Mr. GALLINGER. I hope the committee amendment will be disagreed to.

The amendment was not agreed to.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID BRIGGS.

The bill (H. R. 2527) granting a pension to David Briggs was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David Briggs, late of the Twelfth Battery, Indiana Volunteer Light Artillery, and to pay him a pension of \$12 per month, the same to be paid to him under the rules of the Pension Bureau as to mode and times of payment, without any deduction or rebate on account of former alleged overpayments or erroneous payments of pension.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELLEN HARDIN WALWORTH.

The bill (H. R. 3545) granting a pension to Ellen Hardin Walworth was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ellen Hardin Walworth, dependent mother of Reubena H. Walworth, deceased, a volunteer nurse in the war with Spain, and to pay her a pension of \$25 a month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTHA M'SWAIN.

The bill (H. R. 1204) granting a pension to Martha McSwain was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martha McSwain, widow of William McSwain, late of Company F, Twenty-sixth Regiment Enrolled Missouri Militia, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISABELA MYERS.

The bill (H. R. 11680) granting an increase of pension to Isabela Myers was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isabela Myers, widow of George W. Myers, late of the Second Battery Connecticut Volunteer Light Artillery, and to pay her a pension of \$24 per month in lieu of that she is now receiving; but in the case of the death of the helpless child, Richard E. Myers, on whose account the pension of Isabela Myers is increased, the pension of said Isabela Myers shall continue only at the rate of \$12 per month from and after the date of death of said helpless child.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CAROLINE BUEHLER.

The bill (H. R. 10872) granting an increase of pension to Caroline Buehler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Caroline Buehler, widow of Francis Buehler, late captain of Company G, Sixty-eighth Regiment New York Volunteer Infantry, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH HENDRICKS.

The bill (H. R. 9404) granting a pension to Elizabeth Hendricks was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth Hendricks, widow of Isaac Hendricks, late of Company I, Sixty-second Pennsylvania Volunteer Infantry, and to pay her a pension of \$3 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SUSAN SIDENBENDER.

The bill (H. R. 9745) granting a pension to Susan Sidenbender was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Susan Sidenbender, formerly the widow of Jacob F. Hamaker, late captain Company F, Two hundred and fifth Regiment Pennsylvania Volunteer Infantry, and to pay her a pension of \$20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SOPHIE DE V. BARRETT.

The bill (H. R. 10333) granting a pension to Sophie de V. Barrett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sophie de V. Barrett, widow of Walter Barrett, late lieutenant-colonel Eighty-fourth Regiment Pennsylvania Volunteer Infantry, and to pay her a pension of \$30 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. GALLINGER. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 57 minutes p. m.) the Senate adjourned until to-morrow, Saturday, January 26, 1901, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, January 25, 1901.

The House met at 12 o'clock m., and was called to order by the Speaker.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

ADDITIONAL CLERKS TO COMMITTEE ON ENROLLED BILLS.

Mr. BULL. Mr. Speaker, I have a privileged report from the Committee on Accounts.

The SPEAKER. The gentleman from Rhode Island calls up a privileged report, which the Clerk will read.

The Clerk read as follows:

Resolved, That the chairman of the Committee on Enrolled Bills be, and he is hereby, authorized to appoint two additional clerks to said committee, to serve during the remainder of the present session, to be paid out of the contingent fund of the House, at the rate of \$6 per day.

The report on the resolution was read, as follows:

The Committee on Accounts, to whom was referred House resolution 365, for the employment of two additional clerks to the Committee on Enrolled Bills for the remainder of the present session, have had the same under consideration and recommend its adoption. It is customary to provide the Committee on Enrolled Bills with two additional clerks at this time in a short session of Congress, and the resolution reported herewith is identical with those previously adopted. We recommend the following amendment:

Insert after the word "session," in line 4, the words "from January 18, 1901."

The amendment recommended by the committee was agreed to. The resolution as amended was agreed to.

ARMY REORGANIZATION.

Mr. HULL. Mr. Speaker, I desire to submit a conference report on the Army reorganization bill.

The SPEAKER. The gentleman from Iowa, the chairman of the Committee on Military Affairs, submits the following conference report on the Army reorganization bill. The Clerk will read the report.

Mr. HULL. Mr. Speaker, it has been suggested that the statement be read. The report is quite long. If there be no objection, I will ask that the statement be read.

The SPEAKER. Without objection, the statement only will be read.

There was no objection.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the amendment of the House to the bill (S. 4300) to increase the efficiency of the military establishment of the United States having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments to the amendment of the House numbered 3, 8, 9, 10, 12, 13, 14, 15, 27, 28, 30, 66, 67, 69, 70, 87, and 114.

That the House recede from its disagreement to the amendments of the Senate to the amendment of the House numbered 1, 2, 4, 5, 6, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 29, 31, 33, 34, 35, 36, 37, 38, 39, 40, 41, 43, 44, 51, 52, 56, 57, 58, 59, 60, 61, 63, 65, 68, 71, 73, 74, 78, 80, 83, 84, 85, 86, 88, 90, 91, 92, 94, 95, 96, 97, 99, 100, 101, 103, 104, 106, 108, 109, 110, 111, 112, 113, 115, and agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, to the amendment of the House, and agree to the same with an amendment as follows: On page 2, section 2, line 10, strike out "1 color sergeant" and insert in lieu thereof the following: "2 color sergeants;" and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, to the amendment of the House, and agree to the same with an amendment as follows: Restore the matter stricken out amended as follows: On page 4, line 9, strike out "an inspector" and insert in lieu thereof "a chief;" on page 4, section 6, line 14, strike out "inspector of the" and insert in lieu thereof "chief of;" on page 4, section 6, line 15, strike out "eighty-two" and insert in lieu thereof "ninety-five;" on

page 4, section 6, line 18, strike out "ninety-eight" and insert in lieu thereof "ninety-five;" on page 4, section 6, line 17, strike out "ninety-two" and insert in lieu thereof "ninety-five;" and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33 to the amendment of the House, and agree to the same with an amendment as follows: On page 9, section 9, line 1, after the words "major-general," strike out "during the service of the present incumbent of the office and with the rank of brigadier-general thereafter," and insert in lieu thereof "and when a vacancy shall occur in the office of Adjutant-General on the expiration of the service of the present incumbent, by retirement or otherwise, the Adjutant-General shall thereafter have the rank and pay of a brigadier-general;" and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42 to the amendment of the House, and agree to the same with an amendment as follows: At the end of said section insert the following: "or of persons from civil life who at date of appointment are not over 35 years of age and who shall pass a satisfactory examination to be prescribed by the Secretary of War;" and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45 to the amendment of the House, and agree to the same with an amendment as follows: On page 11, section 12, line 1, strike out "quartermasters," and insert in lieu thereof "assistant quartermasters-general;" and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46 to the amendment of the House, and agree to the same with an amendment as follows: On page 11, section 12, line 2, strike out "quartermasters" and insert in lieu thereof "deputy quartermasters-general;" and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47 to the amendment of the House, and agree to the same with an amendment as follows: On page 11, section 12, line 3, in lieu of the number proposed by said Senate amendment insert "twenty;" and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48 to the amendment of the House, and agree to the same with an amendment as follows: On page 11, section 12, line 3, in lieu of the number proposed by said Senate amendment insert "sixty;" and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49 to the amendment of the House, and agree to the same with an amendment as follows: On page 11, section 12, line 10, after the word "fill" insert "original;" on page 11, section 12, line 12, after the word "appoint" strike out "persons who have, at any time, served as volunteers subsequent to," and insert in lieu thereof "officers of volunteers commissioned in the Quartermaster's Department since;" on page 11, section 12, line 13, after the word "ninety-eight" insert "Provided further, That the President is authorized to continue in service, during the present emergency, for duty in the Philippine Islands and on transports, 24 captains and assistant quartermasters of volunteers. This authority shall extend only for the period when their services shall be absolutely necessary;" and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50 to the amendment of the House, and agree to the same with an amendment as follows: On page 11, section 13, line 16, after the word "three" strike out "commissaries" and insert in lieu thereof "assistant commissaries-general;" on page 11, section 13, line 16, after the word "four" strike out "commissaries" and insert in lieu thereof "deputy commissaries-general;" and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53 to the amendment of the House, and agree to the same with an amendment as follows: On page 11, section 13, line 24, after the word "fill," insert "original;" on page 12, section 13, line 1, after the word "appoint," strike out the words "persons who have at any time served as volunteers subsequent to" and in lieu thereof insert the following: "officers of volunteers commissioned in the Subsistence Department since;" and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54 to the amendment of the House, and agree to the same with an amendment as follows: On page 12, section 14, line 6, strike out the first word of said line, "surgeons," and insert in lieu thereof "assistant surgeons-general;" on page 12, section 14, line 6, after the word "twelve," strike out "surgeons" and insert in lieu thereof "deputy surgeons-general;" and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55 to the amendment of the House, and agree to the same with an amendment as follows: On page 13, section 14, line 5, after the word "captain," insert "mounted;" on page 13, section 14, line 9, after the word "necessary," insert: "Provided further, That assistant surgeons in the Volunteer Army of the United States commissioned by the President as captains, in accordance with the provisions of an act for increasing the efficiency of the Army of the United States, and for other purposes, approved March 2, 1899, shall be entitled to the pay of a captain, mounted, from the date of their acceptance of such commission, as prescribed by law;" and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62 to the amendment of the House, and agree to the same with an amendment as follows: On page 16, section 17, line 19, strike out the first word of said line, "paymasters" and insert in lieu thereof "assistant paymasters-general;" and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64 to the amendment of the House, and agree to the same with an amendment as follows: On page 16, section 17, line 20, strike out "paymasters" and insert in lieu thereof "deputy paymasters-general;" and the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72 to the amendment of the House, and agree to the same with an amendment as follows: On page 18, section 19, line 12, after the word "shall," insert "as far as possible;" on page 18, section 19, line 12, after the word "promotion," strike out "and appointment" and insert in lieu thereof "according to seniority;" and the Senate agree to the same.

Amendment numbered 75: That the House recede from its disagreement to the amendment of the Senate numbered 75 to the amendment of the House, and agree to the same with an amendment as follows: On page 18, section 20, line 16, in lieu of the number proposed by said Senate amendment, insert "four."

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76 to the amendment of the House, and agree to the same with an amendment as follows: On page 18, section 20, line 16, in lieu of the number proposed by said Senate amendment, insert "fourteen;" and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77 to the amendment of the House, and agree to the same with an amendment as follows: On page 18, section 20, line 16, in lieu of the number proposed by said Senate amendment, insert "fourteen."

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79 to the amendment of the House, and agree to the same with an amendment as follows: On page 19, section 20, line 2, after the word "ninety-eight," strike out "but no such person shall be appointed until he shall have passed a satisfactory examination as to his physical, moral, and professional qualifications, and no person not now or previously in the Regular Army shall be appointed to the grade of captain or first lieutenant in the Signal Corps after he shall have reached the age of 40 years," and amend the proviso at the end of said section to read as follows: "Provided, That the President is authorized to continue in service during the present emergency, for duty in the Philippine Islands, five volunteer signal officers with the rank of first lieutenant and five volunteer signal officers with the rank of second lieutenant. This authority shall extend only for the period when their services may be absolutely necessary."

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81 to the amendment of the House, and agree to the same with an amendment as follows: On page 19, section 22, line 13, after the words "Signal Corps," insert the following: "including those appointed to original vacancies in the grades of captain and first lieutenant under the provisions of sections 12, 13, 17, and 20 of this act."

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82 to the amendment of the House, and agree to the same with an amendment as follows: In line 11 of said amendment, after the word "corps," insert "after the original vacancies created by this act shall have been filled." In line 16 of said amendment strike out "unless sooner relieved."

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89 to the amendment of the House, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment and insert in lieu thereof the following:

"Persons not over 40 years of age who shall have at any time served as volunteers subsequent to April 21, 1898, may be ordered before boards of officers for such examination as may be prescribed by the Secretary of War, and those who establish their fitness before these examining boards may be appointed to the grades of first or second lieutenant in the Regular Army, taking rank in the respective grades according to seniority, as determined by length of prior commissioned service; but no person appointed under the provisions of this section shall be placed above another in the same grade with longer commissioned service, and nothing herein contained shall change the relative rank of officers heretofore commissioned in the Regular Army. "Enlisted men of the Regular Army or Volunteers may be appointed second lieutenants in the Regular Army to vacancies created by this act: *Provided*, That they shall have served one year under the same conditions now authorized by law for enlisted men of the Regular Army."

Amendment numbered 93: That the House recede from its disagreement to the amendment of the Senate numbered 93, to the amendment of the House, and agree to the same with an amendment as follows: On page 24, section 26, line 13, after the word "may," insert: "upon his own application;" and the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, to the amendment of the House, and agree to the same with an amendment as follows: In line 3 of said amendment, after the word "and," insert: "by and with the advice and consent of the Senate;" and the Senate agree to the same.

Amendment numbered 102: That the House recede from its disagreement to the amendment of the Senate numbered 102, to the amendment of the House, and agree to the same with an amendment as follows: Restore all of the matter stricken out by said amendment, amended to read as follows:

"That the Secretary of War be, and he is hereby, authorized and directed to cause preliminary examinations and surveys to be made for the purpose of selecting four sites with a view to the establishment of permanent camp grounds for instruction of troops of the Regular Army and National Guard, with estimates of the cost of the sites and their equipment with all modern appliances, and for this purpose is authorized to detail such officers of the Army as may be necessary to carry on the preliminary work; and the sum of \$10,000 is hereby appropriated for the necessary expense of such work, to be disbursed under the direction of the Secretary of War: *Provided*, That the Secretary of War shall report to Congress the result of such examination and surveys, and no contract for said sites shall be made nor any obligation incurred until Congress shall approve such selections and appropriate the money therefor."

And the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, to the amendment of the House, and agree to the same with an amendment as follows: On page 27, section 31, line 10, after the word "companies," strike out the word "shall" and insert in lieu thereof "may;" and the Senate agree to the same.

Amendment numbered 105: That the House recede from its disagreement to the amendment of the Senate numbered 105, to the amendment of the House, and agree to the same with an amendment as follows: On page 27, section 31, line 14, after the word "volunteers," strike out: "during or since the war with Spain," and insert in lieu thereof: "subsequent to April 21, 1898;" and the Senate agree to the same.

Amendment numbered 107: That the House recede from its disagreement to the amendment of the Senate numbered 107 to the amendment of the House, and agree to the same with an amendment as follows: On page 28, section 32, line 12, after the word "island," insert "as far as practicable;" and the Senate agree to the same.

J. A. T. HULL,
W. P. BROWNLOW,
JAMES HAY,
Managers on the part of the House.
JOS. R. HAWLEY,
REDFIELD PROCTOR,
F. M. COCKRELL,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

Amendments Nos. 1 and 2 are simply verbal and to cover all the Army as now organized. House recedes.

No. 3 changes a corps of artillery to regimental organizations, and Senate recedes.

No. 4 is simply a verbal change, and House recedes. The same is true of No. 5, and House recedes.

No. 6 includes Indian scouts, and House recedes.

No. 7 enlarges power of detail for surplus captains and lieutenants, and House recedes.

No. 8 relates to regimental reorganization for artillery, and Senate recedes. This leaves the corps organization as provided by the House.

No. 9 on same subject. Senate recedes.

No. 10 on same subject. Senate recedes.

No. 11 on same subject. Senate recedes with amendments striking out "an inspector," in line 23, page 13, and inserting the words "a chief." Also in line 3, page 24, strike out "inspector" and insert "chief." Also on page 14, line 4, strike out "eighty-two" and insert "ninety-five." Also on same page, line 5, strike out "ninety-eight" and insert "ninety-five." Also on same page, line 6, strike out "ninety-two" and insert "ninety-five." These three amendments make the captains, first and second lieutenants in artillery conform to organization provided for infantry and cavalry.

Nos. 12 and 13 refer to artillery organization, and Senate recedes on both.

Nos. 14 and 15 are artillery, and Senate recedes.

Nos. 16, 17, and 18 are simply renumbering section and making verbal changes, and House recedes.

No. 19 is simply renumbering section.

No. 20 enlarges power of detail of surplus officers, and House recedes.

Nos. 21 and 22 are verbal only, and House recedes.

No. 23 designates what officers can be detailed, and House recedes.

No. 24 simply renumbers section.

No. 25 fixes pay of adjutants, quartermasters, and commissaries in engineer battalions. House recedes.

No. 26 simply renumbers section.

Nos. 27 and 28 refer to artillery organization, and Senate recedes.

No. 29 relates to age of chaplain, and House recedes.

No. 30 relates to artillery organization, and Senate recedes.

No. 31 relates only to number of section.

No. 32 relates to rank of adjutant-general, and Senate recedes, with an amendment which makes it clear that when the office is again filled the rank shall be that of a brigadier-general only.

No. 33 relates only to number of section.

Nos. 34, 35, and 36 relate to title and numbers in inspectors-general department, and House recedes.

No. 37 relates only to number of section.

Nos. 38, 39, 40, and 41 are verbal changes only.

No. 42 relates to appointments in Judge-Advocate's Department, and House recedes, with an amendment which will in the future open appointments in this corps to persons from civil life not over 35 years of age.

No. 43 relates to details from the line in Judge-Advocate's corps, and House recedes.

No. 44 relates to number of the section.

Nos. 45, 46, 47, and 48 relate to number of officers in each grade in Quartermaster-General's Department, and leaves the number at 6 colonels, 9 lieutenant-colonels, 20 majors, and 60 captains, with a proviso that the Secretary of War may retain 25 captains of volunteers in the service so long as may be necessary, and in line 18, page 23, inserts the word "original" before the word "vacancies."

No. 49 is amended so it shall read "officers of volunteers commissioned in the Quartermaster's Department since April 21, 1898."

Nos. 51 and 52 limits the number of commissary sergeants to those now authorized by law, and the House recedes.

No. 53 is amended so as to read "officers of volunteers commissioned in Subistence Department since April 21, 1898."

No. 54 relates to number of section.

No. 55, House recedes, with an amendment which provides for paying volunteer captains the salary of their rank, and inserting in line 24, page 25, the word "mounted," after the word "captain."

No. 56 increases the number of hospital stewards, and the House recedes.

No. 57 relates to number of section.

No. 58 provides that the head of Army nurse corps shall be a graduate of a nurses' training school. House recedes.

No. 59 relates to the veterinary corps, and House recedes.

No. 60 establishes the grade and regulates the number of veterinarians, and House recedes.

No. 61 relates to number of section.

Nos. 62, 63, 64, 65, 66, 67, 68, and 69 relate to number, rank, and official designation of officers in Pay Corps; conference agreement makes 3 colonels, 4 lieutenant-colonels, 20 majors, 27 captains mounted, and retains the designation now provided by law.

No. 70 relates to promotion, and Senate recedes.

No. 71 relates only to number of section.

No. 72 is agreed to with an amendment, in line 8, page 32, by inserting after the word "shall" the words "as far as possible," and after the word "promotion" the words "according to seniority," and striking out the words "and appointment."

No. 73 refers to number of section.

Nos. 74, 75, 76, and 77 relate to number in each grade, and conference agreement leaves 1 colonel, 1 lieutenant colonel, 4 majors, 14 captains, and 14 first lieutenants.

No. 78 increases first-class privates by 54. House recedes.

No. 79 relates to appointment in Signal Corps, and House agrees to same with an amendment which strikes out all relating to age and examination and changing the number of first lieutenants from 10 to 5 and second lieutenants from 10 to 5.

No. 80 relates only to number of section.

No. 81 is agreed to with an amendment protecting volunteer commissions.

No. 82 relates to detail staff, and is agreed to by an amendment in line 8, page 34, after word "corps," by provisions which protect original vacancies created by this act from the detail system, and striking out the words "unless sooner retired" from line 13, so as to make the detail for four years.

Nos. 83 and 84 relate to examinations, and House recedes, as the bill now provides for detail to the staff without additional rank.

No. 85 relates to number of section.

No. 86 relates to number of section.

No. 87 relates to captains in the line. Senate recedes.

No. 88 is verbal only. House recedes.

No. 89 relates to lists of volunteer officers, and House recedes with an amendment in lines 20, 21, 22, and 23 by striking out words which are duplicated, and by striking out "officer," in line 4, page 40, and inserting the word "person," and by amending lines 9, 10, and 11, page 40, so as to let enlisted men of regulars or volunteers take examination for promotion to vacancies created by this bill after one year's service.

No. 90 relates to number of section.

No. 91 relates only to number of section.

No. 92 is verbal only, and House recedes.

No. 93 relates to discharge of soldiers after one year's service where a parent dies, and Senate recedes with an amendment requiring the soldier to apply for discharge.

No. 94 relates to number of section.

No. 95 is verbal only, and House recedes.

No. 96 relates only to number of section.

No. 97 relates to compulsory retirement, and House recedes.

No. 98 relates to placing two officers on retired list as brigadier-generals

and one officer on the retired list as a major-general. House recedes from this agreement, making consent of Senate necessary.

No. 99 relates to number of section.

Nos. 100 and 101 are verbal only, and House recedes.

No. 102 relates to selecting four camps, and Senate recedes, with an amendment which provides for four camps and provides that no contract for land shall be made until Congress approves the surveys and makes an appropriation therefor.

No. 103 relates only to number of section.

No. 103; inserts "and" after "officers," in line 11, page 44, and House recedes, with an amendment striking out "shall" and inserting "may" in line 12.

No. 104 is verbal only, and House recedes.

No. 105 inserts "or enlisted men" in line 15, page 44, and House recedes with an amendment striking out of line 16, page 44, the words "during or since the war with Spain" and inserting the words "subsequent to April 21, 1898."

No. 106 relates to pay of enlisted men from natives of islands and gives Secretary of War certain discretion as to pay and rations, and House recedes.

No. 107 relates to section on Porto Rican regiment and House recedes with an amendment by inserting after "island," line 17, page 45, the words "as far as practicable."

No. 108 relates to pay and allowances of Porto Rican Regiment, and House recedes.

No. 109 gives the Secretary of War discretionary power in regard to pay, rations, and clothing allowances, and House recedes.

Nos. 110 and 111 relate only to numbers of sections.

No. 112 gives the President power to fix rations, and House recedes.

No. 113 grants power to those who served in the late war and in the insurrection in the Philippines to wear the distinctive badge of their military societies.

No. 114 relates to bounty for volunteer soldiers who may reenlist, whose term of service expires on the 1st day of July, 1901. The Senate recedes.

J. A. T. HULL.

W. P. BROWNLOW,

JAMES HAY,

Managers on the part of the House.

Mr. HULL. Mr. Speaker, I think I can explain about all the points in controversy in a very few minutes.

Mr. RICHARDSON of Tennessee. Mr. Speaker, will the gentleman allow me a moment?

Mr. HULL. For what purpose?

Mr. RICHARDSON of Tennessee. I want to say that we did not have an opportunity to see this report at all, and I wish to ask the gentleman if he would not be willing that it be printed in the RECORD and be called up to-morrow, in order that we may have an opportunity to see what is done by this conference report.

Mr. HULL. I would say—

Mr. RICHARDSON of Tennessee. It is impossible from the reading at the Clerk's desk to get an intelligent understanding of the provisions, modifications, and changes made by the Senate and the conferees.

Mr. HULL. One moment, Mr. Speaker. I want to say to the gentleman from Tennessee it was a full conference with both parties in the Senate and the House. Both the majority and minority were united in the recommendation.

Now, we all understand that the minority is not in favor of a standing army, but still that matter is settled, and the conferees on the part of the Senate and the House regarded the details as being adjusted to the views of both sides of the Chamber. Now, Mr. Speaker, in regard to letting it go over, I want to say that this bill should have been a law more than three weeks ago, and I can not consent to any delay in pressing for final action.

Mr. RICHARDSON of Tennessee. It has not been delayed here.

Mr. HULL. It has not been delayed by the House, but it has been outrageously delayed by the Congress of the United States. We have 35,000 volunteers ready to be returned home and mustered out. We have got to replace them with the same number in the regular establishment or do injustice to them by keeping them longer than they are enlisted for. The country must have an armed force to protect the interests of the Government.

Mr. RICHARDSON of Tennessee. One more day will not delay them to amount to anything.

Mr. HULL. The bill has been printed with the Senate amendments, the matter has been discussed for several days, and every member could have examined and known it. The change made by the conference committees on the part of the two Houses are so easily explained that it is not necessary to print for that purpose. A large number of the amendments are merely verbal, as anybody can see.

The contest between the two Houses was on the artillery corps and on the detailed staff, Mr. Speaker, and on the number in the staff of the Quartermaster, the Signal, and the Pay departments. Outside of these there was no controversy and could not be, because in the House the size of the Army has been discussed so often, and settled by repeated votes at the number provided in this act, and the method of organization has been discussed so often that to delay this bill one or two days—and if it is delayed it will go over until Monday, without doubt, and then delayed by reporting it to the Senate, so that they would not get to act upon it before Tuesday—it seems to me that the House ought to act upon it and act upon it now, and I will not consent that it should go over.

Mr. RICHARDSON of Tennessee. I was in hopes that the gentleman would let it go over until to-morrow.

Mr. HULL. To-morrow is Saturday, and set apart for eulogies. Members who live near Washington go home, and it would be impossible to dispose of it on Saturday or Monday. If my friend from Virginia [Mr. HAY], who has given this matter most careful consideration, would say that he did not understand its provisions and wanted time to study them, it would be another matter. But my friend from Virginia will not say that, because he has given it most careful attention and study and thoroughly understands every detail.

Now, Mr. Speaker, just a word in explanation before yielding anything further. The Senate receded on the artillery corps entirely, and the House provision is accepted. On the Quartermaster's Department there was a compromise. We believed the Senate had cut that Department down below the point of safety to the public service. A compromise was made by which the Senate conceded 2 majors and 6 captains in the permanent establishment and then we agreed upon a provision for 25 quartermasters of volunteers to remain in the service as long as their services might be necessary. That gives us an ample force to transact the business of the Department at the present time.

Mr. RICHARDSON of Tennessee. Will the gentleman allow me? What is done with the retiring of officers?

Mr. HULL. I will come to that in a few minutes. There is no difficulty as to that proposition which requires that gentlemen should have it printed before understanding what is proposed.

Mr. RICHARDSON of Tennessee. But we have got a right to know.

Mr. HULL. I will get at it a little later. The gentleman need not think that I do not propose to touch that point and explain it fully.

Mr. RICHARDSON of Tennessee. But you consider that as one settled point.

Mr. HULL. The gentleman from Tennessee has never found me standing on this floor trying to deceive this House on a single point, and I do not propose to deceive anyone now.

Mr. RICHARDSON of Tennessee. The gentleman need not get scared here before any such charge is made. Nobody has insinuated—

Mr. HULL. The gentleman from Tennessee has insinuated, and I refuse to yield.

The SPEAKER. The gentleman from Iowa declines to yield. Mr. RICHARDSON of Tennessee. I resent the charge here and now.

The SPEAKER. The gentleman from Tennessee is out of order. The gentleman declines to yield, and the gentleman from Tennessee has not sought recognition through the Chair.

Mr. RICHARDSON of Tennessee. But, Mr. Speaker, I did rise and ask permission to interrupt him.

Mr. HULL. I decline to yield at this time.

Mr. RICHARDSON of Tennessee. When the gentleman impugns my motive I have a right to be heard.

The SPEAKER. The gentleman did not address the gentleman from Iowa by seeking recognition through the Chair.

Mr. RICHARDSON of Tennessee. I had interrupted him with his consent.

The SPEAKER. But without addressing the Chair.

Mr. RICHARDSON of Tennessee. I know I did, and everybody else knows it, and the RECORD will show it.

The SPEAKER. The gentleman from Iowa will proceed.

Mr. HULL. On the Signal Corps the conferees agreed on the captains and first lieutenants as provided in the regular establishment, by which the Senate yielded their point of only 9 and we yielded of 19, and we agreed on 14 captains and 14 first lieutenants in the permanent establishment, with an increase of 1 major in place of 2, as provided by the House; and we agree on 5 first lieutenants, 5 second lieutenants in the service as volunteers as long as their services may be necessary. In the Pay Corps the conferees yielded the increased rank, but retained the 20 majors, giving 27 captains by detail to take the place of the volunteer officers now in the service who will have to go out or who may be commissioned as captains.

Mr. LIVINGSTON. Will the gentleman speak louder? We can not hear over here.

Mr. STEELE. Mr. Speaker, I ask for order.

The SPEAKER. Gentlemen are requested to take their seats and cease conversation. This is a bill that the House desires to hear discussed.

Mr. HULL. Now, Mr. Speaker, to go back to the Pay Corps. It was a compromise by which we yielded 1 colonel and 1 lieutenant-colonel to the Senate's contention, and they yielded to us the full 20 officers with the rank of major and continued the number in the Pay Corps for the regular establishment. The Senate cut the number of majors down to 9 and we retain the House provision of 20; and we get 27 captains, either by detail or by appointment of volunteers now in the service to the rank of captain.

Those were the principal points at issue between us in regard to the size of the different corps or departments.

On the detail system there was a difference of opinion between the conferees on the part of the House and the conferees on the part of the Senate. The Senate provision is substantially agreed to, with the provision inserted that all volunteer officers appointed to any of the vacancies created by this act shall not be subject to detail, but shall remain a part of the permanent staff until the expiration of their time, either by death or retirement.

Mr. JETT. Mr. Speaker—

The SPEAKER. Does the gentleman from Iowa yield to the gentleman from Illinois?

Mr. HULL. I do not until I have made my explanation. The House act, as you remember, provided for details in the lower grade of all the corps except the Ordnance Department, the Engineer Department, and the Medical Department. This Senate bill provides for details in the Ordnance Department in addition to those provided by the House bill. The Senate bill as now fixed is different from the original War Department bill in this, that it requires the chief of these corps to be taken from the permanent corps as long as any remained therein, and provides that they shall be nominated by the President and confirmed by the Senate, in place of being appointed by the Secretary of War for four years unless sooner removed.

This makes a permanent appointment for four years of the chiefs, and they must be selected from the permanent corps as long as any remain therein. The average service under the present system for chiefs is only a little more than three years. The provision of the Senate, if continued as law for all the years of the future, will be a departure from that of the present law and from that as provided by the House; but I want to say that this separation between the provision of the House and the provision of the Senate, except as to the Ordnance Department, will not be reached for more than twelve years. So that during the next ten or twelve years the country and Congress will have an opportunity to weigh these provisions and know whether they want to continue them or not. If they work well, they should be continued; if badly, Congress can act.

Now, as to the Ordnance Department, the House left it out of the detail, and it is now in by report of the conference committee. The conferees of the House really did not believe that it should be put in, but the conferees of the Senate were emphatic on this question, and it will be at least five years before any particular change will be made in the Ordnance Department if the bill passes; and to hold this bill up day after day waiting for an agreement that might not come we thought was an injustice to the country at this critical time, and we did not feel like doing it.

Mr. Speaker, I want to say that as far as the Secretary of War and the Senate conferees and the General of the Army are concerned they were more emphatic in the belief that the Ordnance Department should be in the detail and that the artillery and ordnance should be brought more together than they have been heretofore than they were in advocating any other feature of the bill.

In the Medical Department we made an amendment to the Senate amendment by which we provided for the pay of volunteer medical officers. A bill has already passed the Senate as an independent measure, and it is on the Calendar of the House by unanimous report of the Committee on Military Affairs, which provides for this. Congress two years ago passed an act giving volunteer surgeons the rank of captain and supposed this gave them pay of captains. The War Office so held, as I understand.

The law fixing the pay of the Medical Department of the Regular Army provides that a man in the Medical Corps shall serve five years before he can receive the pay of a captain. These officers were volunteers, but in the provisional regiments; and the Comptroller of the Treasury held up the War Department on this matter, so that these men who went in from the volunteer regiments and who hold only volunteer commissions have been receiving only the pay of a first lieutenant—clearly against the express will of Congress, as we all thought we had provided for their pay as captains when we gave them that rank.

Now, as to the subject which goes to the point raised by my friend from Tennessee. The House struck out the provision for placing two brigadier-generals on the retired list without regard to age. I think every member of this House knows that that provision was for the purpose of enabling the President to put General Lee and General Wilson on the retired list with the rank of brigadier-generals. They represent in themselves the differences of the past, and they represent also the unity of the present. They have both performed distinguished service during the recent war. They have passed the age at which, without legislation, they could be placed in the Regular Army.

Both of them are over the age of 64. General Wheeler, we all know, has been appointed in the Regular Army, being under 64 years of age at date of appointment, and placed on the retired list. Without this provision, Wilson and Lee can not be so appointed.

The other provision which the House struck out was in regard to authorizing the President to select some brigadier-general of the Regular Army who had performed distinguished service during the late war, and who had exercised independent command, and to place him on the retired list with the rank of a major-general. All the members of this House know that that provision was intended for General Shafter. The House, in Committee of the Whole, after short debate, struck these provisions from the bill.

The Senate put those two provisions in the bill. The House conferees agreed to let them remain in the bill and to report to this House a recommendation that the conference report be adopted with these two provisions. I can not believe that the Congress of the United States will regard these provisions as unusual or beyond what this body should do to reward those men for their great services. The action in regard to Lee and Wheeler and Wilson is a recognition, in one sense, of the old controversy of 1861-1865, and it is a notice to the world that that contest is over.

As to General Shafter, he entered the service as a private during the civil war, and he has remained in the service continuously, almost every day of his time until the breaking out of the Spanish war having been spent on the frontier fighting the battles of his country. He became a brigadier-general by his own ability as a soldier, fighting his way up step by step, winning every promotion by distinguished gallantry. He was made a major-general of volunteers and is one now. He conducted the Santiago campaign, which, whatever may have been said as to its conduct, resulted in a marvelous victory that ended the war almost before it had fairly begun—a campaign which, whatever may have been the carping criticisms of the time, will be regarded in history as one of the greatest campaigns ever fought by any general in any age. Judged by results, it is above criticism.

It does seem to me that this Congress, in view of what has been done for General Wheeler, in view of what is proposed to be done for General Lee and General Wilson, can not hesitate to say to General Shafter: "You have earned this slight recognition at the hands of your country, and Congress will generously and heartily accord it to you."

Now, Mr. Speaker, I do not know of any other points of difference that need explanation, but I shall be glad to yield for any questions that any gentleman may desire to ask.

Mr. JETT. I wish to ask—for I did not quite understand the gentleman from Iowa on this point—whether in the bill as reported by the conference committee this provision is retained:

Provided, That so long as there remain in service officers of any staff corps or department holding permanent appointments, the chief of such staff corps or department shall be selected from the officers so remaining therein.

Mr. HULL. That remains in.

Mr. JETT. One other question. I did not understand exactly what has been done by the conferees with the amendment put in by the Senate in relation to the Signal Corps.

Mr. HULL. I tried to explain that. I can say to the gentleman that we gave to the Signal Corps an increase of 1 major over the Senate provision, 5 captains over the Senate provision, 5 first lieutenants over the Senate provision. We struck out all in regard to examination and age, as provided in the Senate amendment, so that the Signal Corps would stand on all fours with every other staff department in regard to the admission of volunteers. We left 5 first lieutenants of volunteers in that corps and 5 second lieutenants—to be kept as long as the necessities of the service may require.

I now yield for a question to the gentleman from Pennsylvania [Mr. ADAMS].

Mr. ADAMS. The House, after long and full discussion, amended the committee bill by inserting a provision for a veterinary corps of the Army. I would like to know what efforts were made by our conferees to carry out the will of this House, expressed after such long debate and by so decisive a vote.

Mr. HULL. Mr. Speaker, the House, in Committee of the Whole, by a small margin did put in a provision for a veterinary corps, after debate lasting probably ten minutes. If I had supposed there was any danger that the provision would be adopted, I would have debated it longer. The House conferees made very little effort to retain it. They wanted to know from the Senate conferees whether the Senate would at all consent to a modification, and we were told they would not.

I think I am safe in saying that a majority of the House conferees would have conceded commission and rank to veterinary officers; but so far as I am concerned, I am very free to say that I do not believe that we ought to establish another corps in the War Department, to be built up into a great independent organization.

Mr. ADAMS. I would like to ask the gentleman if the conferees are not supposed to represent the views of the House in the conference?

Mr. HULL. Undoubtedly, so far as they can possibly do so.

Mr. ADAMS. Then when the House put an amendment upon the bill as reported by the committee, by a marked vote on the

part of the House, is it not true that the conferees should represent that action of the House? In my judgment the conferees should have made a determined effort to have sustained the express will of the House under the circumstances.

Mr. HULL. I will state to the gentleman from Pennsylvania, Mr. Speaker, that the Senate was overwhelmingly against this provision. A difference of opinion and a determined effort on the part of the House conferees could have resulted in no good. It would have resulted simply in our sitting and looking at each other across the table for an indefinite length of time, and no action could have been taken upon the bill.

I do not believe that the House desired any such action as that. The matter was not so important as to induce the conferees to hold up the entire bill and endanger its passage. I do not think the House intended any such thing, nor do I understand that there was such an overwhelming vote in the House as would justify the conferees in believing that the House would favor any such action upon their part. By a vote of 80 to 72, without any particular discussion, this provision was put on the bill. A majority only of 8 favored it, with less than one-half of the House membership voting.

Mr. ADAMS. I, Mr. Speaker, am one of the members of this body who do not believe that the House should exhibit any fear when placed before the Senate in conference or in any other way.

Mr. HULL. I have not yielded to the gentleman for a speech. Does he want time?

Mr. ADAMS. I should like to have about three minutes only.

Mr. HULL. I yield to the gentleman for three minutes.

Mr. ADAMS. I was just saying, Mr. Speaker, that I am one of those who do not believe in any fear in opposing the Senate in any way. I believe, on the other hand, that it is the duty of the House to stand up for its opinions, and have them carried out by its various committees, whether on conference or otherwise; and I think it is the primary duty of a conference committee to carry out the will of the members of the House as expressed by the House on a question of this or any other character. This is more particularly, sir, the case when the House has put an amendment upon a bill reported from a committee.

It says in a marked manner it is the will of the House that this matter should be placed upon the bill; and the conference committee, in my judgment, should have used all the strength that they possessed in their representation of the wishes of the House to secure the adoption of that provision upon the bill. The House expressed its judgment; it was their duty to carry that judgment into effect so far as possible, without any fear from the other body. On the contrary, my friend from Iowa says that they did not make very much of an effort against the Senate conferees because forsooth, that body seemed determined that they would not yield to the wishes of the House in this regard.

I repeat, Mr. Speaker, I think it was the duty of the House conferees to have been equally determined in representing the views of the House on that question or any other; and, in my judgment, if they have not done so, they have failed in their obligation to the House, and did not represent the wishes expressed by the House in that amendment to the bill.

Mr. HULL. I now yield, Mr. Speaker, to the gentleman from California, who, I understand, desires to ask a question.

Mr. LOUD. I do not care very much about this question of the horse doctors, but I would like to have the gentleman in charge of the conference report answer this question: Whether or not I am correct in saying that it is the custom of the conference committee, where the House has expressed itself by a decided vote upon an amendment to a bill reported from a committee of the House, to at least give the House, if they choose to recede from its action, another opportunity to express its assent or dissent from the action of the conference committee?

Mr. HULL. I will say, Mr. Speaker, in response to the inquiry of the gentleman from California, that this was one of the last points considered and agreed to by the House conferees. I came over here and talked with several members of the House who had voted with reference to the proposition to which the gentleman refers, and was informed by quite a number of the older members that it was not the uniform practice of the House to adopt the rule the gentleman suggested, but that it was a matter depending largely upon circumstances.

Mr. LOUD. I am not referring to the horse doctors, I will say to the gentleman.

Mr. HULL. And the reason which had most influence with the House conferees in dealing with the subject was the manifest delay that must arise should this provision be reported to the House and separate action taken. Of course, the matter could have been arranged readily by a vote in the House.

But when they reported this disagreement to the Senate, if the Senate were deprived of its privilege in that respect, such as they desired, they could have debated the question indefinitely; and the public interests demand the immediate disposal of this matter. It was deemed better, therefore, by the House conferees to

take the responsibility of letting this matter go, in the manner here suggested, rather than hold up the bill for an indefinite time to the great detriment of the public interests. The horse doctors, as the gentleman calls them, stand on an equal footing with the provision the gentleman refers to.

Mr. LOUD. But the gentleman should remember that the House had expressed itself upon this amendment for the retirement of two brigadier-generals and a major-general. The expression of sentiment on the part of the House was emphatic in that regard. Does the gentleman think, then, it was entirely fair, or within the range of the powers or the duties of the conference committee, to come back to the House and report a total agreement upon the bill, rather than to give the House an opportunity of expressing its opinion as to whether it would adhere or recede from its proposition?

Mr. HULL. I can only reiterate, Mr. Speaker, what I have said before, that the committee adopted what they believed to be the very best method which could be devised in the interests of the public business. Ordinarily the course suggested by the gentleman from California should be followed. I can only say in addition that amongst the many gentlemen to whom reference was made, as I have already said, there were none who claimed that that was not the usual way, but that circumstances might arise, as in this case, which would make it inexpedient to follow what the gentleman from California seems to regard as a custom. Under the circumstances the conference determined upon this course, since none other seemed open to them.

Mr. LOUD. But the conference report could have made an exception of this particular item.

Mr. HULL. Undoubtedly; and I recognize, of course, the justice of the criticism to a certain extent; but it seemed to me and to the members of the committee in conference that conditions existed as to the business in the Senate at the present time to justify this action on the part of the House conferees; and I will say that I talked to gentlemen on both sides who said, in view of that situation, they thought it better that we should bring in a complete agreement, which we have done.

Mr. LOUD. I should like to ask the gentleman how insistent the Senate conferees were upon this provision?

Mr. HULL. They were so insistent that they said they could not under any conditions yield it without reporting it back as a disagreement to the Senate.

Mr. LOUD. It is unfortunate that the House conferees favored this provision. That is the only unfortunate part of it.

Mr. HULL. Now, Mr. Speaker, if there are not any other questions I shall move the previous question.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I desire—

The SPEAKER. The gentleman from Tennessee.

Mr. HULL. Mr. Speaker, I have the floor. What does the gentleman desire?

Mr. RICHARDSON of Tennessee. I desire to speak to the conference report.

Mr. HULL. How much time does the gentleman want?

Mr. RICHARDSON of Tennessee. Oh, I do not know. I do not want a great deal.

Mr. HULL. Then, if there are no other questions and we can not agree on time, I shall not yield the floor.

Mr. RICHARDSON of Tennessee. I only want a moment or two.

Mr. HULL. How much time does the gentleman want?

Mr. RICHARDSON of Tennessee. I can conclude what I have to say in a very few minutes.

Mr. HULL. If the gentleman will say how much time he wants I will take pleasure in yielding to him.

Mr. RICHARDSON of Tennessee. Well, the gentleman can yield the time or not, just as he pleases. I only want a few minutes.

Mr. HULL. Mr. Speaker, I want to say very frankly that before yielding the floor I shall move the previous question. I am willing to yield time to the gentleman, but I am not willing to yield him the floor.

Mr. RICHARDSON of Tennessee. I do not want the floor, I only want a few moments.

Mr. HULL. How much time does the gentleman want?

Mr. RICHARDSON of Tennessee. I think I can get through in three or four or five or six or seven minutes.

Mr. HULL. I will yield to the gentleman six minutes, and then if he wants more I will yield it.

Mr. RICHARDSON of Tennessee. I do not know that I shall want any more than that.

The SPEAKER. The gentleman from Tennessee is recognized for six minutes.

Mr. RICHARDSON of Tennessee. Mr. Speaker, under the parliamentary situation here, there is nothing left for the Representatives except to vote this conference report down or pass the bill.

Before this bill went to the Senate several propositions that are

now included in it were deliberately and solemnly rejected by this House. Now they are brought back here, as stated by some gentlemen who have preceded me, and the House is not to be given any opportunity to express any opinion again as to whether it would insist upon these propositions or whether it would yield.

In that view of the case, Mr. Speaker, I take the floor to say that there are a few of these propositions in this bill to which under no circumstances can I ever give my assent, whatever other gentlemen may do. I intend never to be forced to vote, as we are forced to vote here, to increase the list of retired officers. The House solemnly voted down the propositions which the gentleman says they have put upon this bill. For one, I shall not vote to put these able-bodied men upon the list of retired officers, and I shall never vote for a conference report which puts it in the power of the President of the United States, I care not who is filling the office, to increase the permanent military establishment of the United States from 58,000 to 100,000 men. [Applause on the Democratic side.]

Mr. CANNON. May I ask the gentleman a question?

The SPEAKER. Does the gentleman from Tennessee yield to the gentleman from Illinois?

Mr. RICHARDSON of Tennessee. Certainly.

Mr. CANNON. If this proposition was out of the bill, would the gentleman vote then for the conference report?

Mr. RICHARDSON of Tennessee. Oh, yes; if you will take out that proposition and put the Army at a reasonable figure, I will vote for it.

Mr. CANNON. That was not my question.

Mr. RICHARDSON of Tennessee. If you want me to say I will vote for this bill, I say no, under no circumstances will I vote for it, never. [Applause on the Democratic side.]

Now, we are compelled under the parliamentary situation, as the matter is presented to us, I say, to vote against this conference report as a whole or to vote for the bill. It is not presented here in such form that we can take our choice or exercise any discretion or vote against any single provision on the bill or any amendment put upon it in the Senate. Under the parliamentary situation as it is presented to us we are not permitted to say whether we want to take the Senate amendments or not. You can not be heard. The gentleman from Pennsylvania [Mr. ADAMS] complained, the gentleman from California [Mr. LOUD] complained, but that makes no difference. You can not get a vote upon the propositions which we have voted for in this House heretofore after mature debate and deliberation. On a conference report you are compelled to vote for the whole bill or to vote against it.

Mr. Speaker, it seems to me it is an unfortunate condition. In a matter of this magnitude we should have had an opportunity to pass upon the separate amendments or propositions in some shape, and to decide whether we would take them or not. It may be that we might take some of them after debate and consideration, but under the parliamentary condition as it is presented to us we have no option; you are not allowed to express an opinion upon the Senate amendments separately, but you are compelled to take them all, notwithstanding you do not indorse them. Notwithstanding the Senate has put upon the bill that which we solemnly said should not go upon it and has left out matters which we said should go in it, we are forced, I say, to come into the House and say we will swallow it all or vote against the bill, and, for one, rather than take these obnoxious provisions which we have said we would not have I shall vote against the conference report. [Applause on the Democratic side.]

Mr. HULL. I yield to the gentleman from Virginia—how much time?

Mr. HAY. I only desire about five minutes.

Mr. HULL. I yield five minutes to the gentleman from Virginia.

Mr. HAY. Mr. Speaker, I understood the gentleman from Tennessee [Mr. RICHARDSON] to say that he would not vote for this conference report because it contains a provision by which the President of the United States can increase the Army from 58,000 to 100,000 men. It does seem strange to me that the gentleman could have made such an assertion as that, because the conference report contains no such thing, and I would not have signed any conference report which contained such a provision. When this question first came up in this House there was an opportunity to have made a successful fight against a permanent standing army in favor of a temporary army, and the gentleman from Tennessee was found opposing that position; and, rather than presenting anything to the House, he was leading the forces which were opposed to a temporary standing army in contradistinction to a permanent standing army. Then was the time to have made the fight; then was the time to have prevented, if it had been possible, this permanent standing army; and as a conferee representing the minority I do not mean to have an imputation cast upon me that I signed a conference report for a standing army of a hundred thousand men.

Mr. RICHARDSON of Tennessee. Will the gentleman allow

me? I did not say that the conferees had done anything of that sort.

Mr. HAY. Those are exactly your words.

Mr. RICHARDSON of Tennessee. I said the bill.

Mr. HAY. The gentleman used the words "conference report."

Mr. RICHARDSON of Tennessee. That was not the passing of the conference report.

Mr. HAY. Now, the gentleman well knows—

Mr. RICHARDSON of Tennessee. I said the passage of the conference report carried that provision. I certainly never said that it was in the conference report, and the RECORD will show it.

Mr. HAY. I did not suppose the gentleman would, but if the gentleman says that he did not say so, that is all right. It is a fact that this is a conference report, and everybody knows that when a conference report is brought here it has to be accepted as a whole or not accepted at all. It is not necessary for me to say that to the gentleman from Tennessee; he knows it as well as I do; and while I do not agree with the gentlemen upon the conference committee as to the provisions which have been complained of, yet when I was voted down by the majority on both sides I thought that it was my duty, and I was so advised by a Democratic Senator who has served in Congress for twenty years, that when a majority of a conference committee voted one way upon matters of detail it was the duty of the minority to sign the report. I had not agreed with my colleagues about the details of the staff. I had not agreed with them about other questions; but when they voted me down, I had no other course to pursue. I simply want, Mr. Speaker, to put myself right as a conferee representing the minority on the conference committee.

Mr. ADAMSON. I would like to ask the gentleman from Iowa if he will answer a question?

Mr. HULL. I will, if I can.

Mr. ADAMSON. I would be glad if you would explain to us the eligibility of volunteer officers now serving to be appointed in the new army, either as officers of the line or in the Paymaster's Department or Quartermaster's Department.

Mr. HULL. Mr. Speaker, in all the staff corps they are eligible except in the Engineers, Medical Corps, and Ordnance; in the line they can be appointed either first or second lieutenants.

Mr. RICHARDSON of Tennessee. I would like to ask the gentleman—

Mr. HULL. They can be appointed quartermasters.

Mr. RICHARDSON of Tennessee. What is the age limit as to the appointment of men who have served in the Army in the Philippines or in Cuba?

Mr. HULL. There is no age limit on any of the staff corps; in the line 40 years is the limit.

Now, I want to say that the volunteer staff corps are appointed without regard to age, to be appointed captains of the Quartermaster's Department and of Subsistence, majors in the Pay Department, majors in the Judge-Advocate's Department, captains and first lieutenants in the Signal Corps, and so on through all the corps except those three. Volunteers can enter at the bottom all through, because the committee did not believe that either House would provide so as to put a volunteer in the Quartermaster's Department over a man who is now serving and who has been in the Army some of them twenty and twenty-five years. So it was put in that they go in at the bottom of the list of captains; but there is no age limit and no examination required. Their fitness must be determined by the President and Secretary of War by the work they have done as volunteers in every respect.

Mr. ADAMSON. A volunteer officer, as I understand, can not be commissioned in the line above the grade of first lieutenant?

Mr. HULL. That is right.

Mr. ADAMSON. But as high as captains in the other departments?

Mr. HULL. Yes, sir. But the gentleman will recollect that in the line there are lieutenants that have served eighteen years, some of them twelve and fourteen years, who will be left first lieutenants after this bill passes; and it did seem to us that a man who had served through this war, in addition to sixteen years before the war, practically, should not be ranked by a man who served two or three years. Is there any other question?

Mr. BROSIUS. Mr. Speaker, I would like to ask the gentleman a question.

The SPEAKER. Does the gentleman from Iowa yield to the gentleman from Pennsylvania?

Mr. HULL. I do.

Mr. BROSIUS. What about the Medical Corps?

Mr. HULL. There is no change made in that; it is the same as it has always been. It is not really a military corps; it is a professional corps.

Mr. BARTHOLDT. Mr. Speaker—

The SPEAKER. Does the gentleman from Iowa yield to the gentleman from Missouri?

Mr. HULL. Yes.

Mr. BARTHOLDT. This bill, Mr. Speaker, contains a provision which high officials of the War Department and all those persons who have any practical experience in the Army declare will result in a demoralization of the American Army. I refer to the canteen provision.

Mr. HULL. That is not before the House.

Mr. BARTHOLDT. I would like to ask, without trying to pry into the secrets of the conference, if there was any attempt made in conference with a view to a modification of this provision?

Mr. HULL. It was not even submitted to the conferees. The House voted the provision in, and the Senate by a vote of the Senate agreed to it. It was not before the conference committee.

Mr. BARTHOLDT. Would it have been a violation of parliamentary law if new matter had been put in?

Mr. HULL. In that section it would be absolutely a violation of parliamentary law, and impossible to take it up. Now, Mr. Speaker, I move the previous question.

The question was taken, and the previous question was ordered.

The SPEAKER. The question now is on agreeing to the conference report.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. RICHARDSON of Tennessee. A division, Mr. Speaker.

Mr. HULL. I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 135, nays 100, answered "present" 12, not voting 107; as follows:

YEAS—135.

Adams,	Dick,	Jenkins,	Reeves,
Allen, Me.	Driscoll,	Jones, Wash.	Roberts,
Babcock,	Eddy,	Joy,	Shaw,
Barham,	Emerson,	Kerr, Md.	Shelden,
Barney,	Esch,	Ketcham,	Sherman,
Bartholdt,	Faris,	Knox,	Sibley,
Bishop,	Fletcher,	Lacey,	Smith, Ill.
Boring,	Fordney,	Landis,	Smith, Iowa
Boutell, Ill.	Foss,	Lane,	Smith, Samuel W.
Bowersock,	Fowler,	Lawrence,	Smith, Wm. Alden
Brick,	Gardner, N. J.	Littaner,	Southard,
Brosius,	Gibson,	Littlefield,	Spalding,
Brown,	Gill,	Livingston,	Steele,
Brownlow,	Gillet, N. Y.	Long,	Stewart, N. J.
Bull,	Gillett, Mass.	Loud,	Sulloway,
Burke, S. Dak.	Graft,	Loving,	Taylor, Ohio
Burkett,	Graham,	Lybrand,	Thomas, Iowa
Butler,	Greene, Mass.	McCleary,	Thropp,
Calderhead,	Grosvenor,	Metcalf,	Tongue,
Capron,	Grout,	Miller,	Van Voorhis,
Clayton, N. Y.	Hamilton,	Minor,	Vreeland,
Cochrane, N. Y.	Haugen,	Mondell,	Wadsworth,
Connell,	Heatwole,	Moody, Mass.	Wanger,
Conner,	Hedge,	Moody, Oreg.	Warner,
Cooper, Wis.	Hemenway,	Morgan,	Waters,
Corliss,	Henry, Conn.	Morrell,	Watson,
Cousins,	Hepburn,	Morris,	Weaver,
Cramer,	Hill,	Mudd,	Weeks,
Crumpacker,	Hitt,	Needham,	Weymouth,
Curtis,	Hoffecker,	Olmedst,	White,
Cushman,	Hopkins,	Otjen,	Woods,
Dalzell,	Howell,	Overstreet,	Wright,
Davenport, S. A.	Hull,	Parker, N. J.	Young.
Dayton,	Jack,	Pearre,	

NAYS—100.

Adamson,	Driggs,	Latimer,	Ryan, Pa.
Allen, Miss.	Elliott,	Lewis,	Salmon,
Atwater,	Finley,	Little,	Shackelford,
Bankhead,	Fitzgerald, Mass.	Lloyd,	Shafroth,
Bartlett,	Fleming,	McDermott,	Sheppard,
Bell,	Fox,	McLain,	Sims,
Brantley,	Gaines,	Mann,	Smith, Ky.
Breazeale,	Gaston,	Meyer, La.	Snodgrass,
Brundidge,	Gilbert,	Miers, Ind.	Stallings,
Burke, Tex.	Gordon,	Moon,	Stark,
Burleson,	Green, Pa.	Newlands,	Stephens, Tex.
Caldwell,	Griffith,	Norton, Ohio	Sulzer,
Carmack,	Hall,	Quarles,	Sutherland,
Clark,	Hay,	Rhea, Ky.	Talbert,
Clayton, Ala.	Henry, Miss.	Rhea, Va.	Tate,
Cochran, Mo.	Henry, Tex.	Richardson, Ala.	Thayer,
Cooper, Tex.	Howard,	Richardson, Tenn.	Thomas, N. C.
Cowherd,	Jett,	Ridgely,	Turner,
Crowley,	Johnston,	Riordan,	Underwood,
Cusack,	Jones, Va.	Rixey,	Wheeler,
Davenport, S. W.	King,	Robb,	Williams, J. R.
De Armond,	Kitchin,	Robinson, Ind.	Williams, Miss.
De Graffenreid,	Kleberg,	Robinson, Nebr.	Wilson, Idaho
Dinsmore,	Lamb,	Rucker,	Wilson, S. C.
Dougherty,	Lanham,	Ryan, N. Y.	Zenor.

ANSWERED "PRESENT"—12.

Allen, Ky.	Fitzgerald, N. Y.	Linney,	Phillips,
Berry,	Glynn,	Otey,	Ray, N. Y.
Cannon,	Levy,	Packer, Pa.	Scudder.

NOT VOTING—107.

Acheson,	Bellamy,	Broussard,	Cox,
Aldrich,	Benton,	Burleigh,	Crump,
Alexander,	Bingham,	Burnett,	Cummings,
Bailey, Kans.	Boutelle, Me.	Burton,	Dahle,
Bailey, Tex.	Bradley,	Campbell,	Davey,
Baker,	Brenner,	Catchings,	Davidson,
Ball,	Brewer,	Chanler,	Davis,
Barber,	Bromwell,	Cooney,	Denny,

Dovenor,	McCall,	Pearce, Mo.	Sperry,
Fitzpatrick,	McClellan,	Pearson,	Spight,
Foster,	McCulloch,	Pierce, Tenn.	Sprague,
Freer,	McDowell,	Polk,	Stevens, Minn.
Gamble,	McRae,	Powers,	Stewart, N. Y.
Gardner, Mich.	Maddox,	Prince,	Stewart, Wis.
Gayle,	Mahon,	Pugh,	Stokes,
Griggs,	Marsh,	Ransdell,	Swanson,
Grow,	May,	Reeder,	Tawney,
Hawley,	Meekison,	Robertson, La.	Taylor, Ala.
Kahn,	Mercer,	Rodenberg,	Terry,
Kerr, Ohio	Mesick,	Ruppert,	Tompkins,
Klutz,	Muller,	Russell,	Underhill,
Lassiter,	Naphen,	Shattuc,	Vandiver,
Lentz,	Neville,	Showalter,	Wachter,
Lester,	Noonan,	Slayden,	Williams, W. E.
Lorimer,	Norton, S. C.	Small,	Wilson, N. Y.
Loudenslager,	O'Grady,	Smith, H. C.	Ziegler.
McAleer,	Payne,	Sparkman,	

So the report of the committee of conference was adopted.

The following pairs were announced:

Until further notice:

Mr. STEWART of New York with Mr. FITZGERALD of New York.

Mr. SHOWALTER with Mr. SWANSON.

Mr. GAMBLE with Mr. CAMPBELL.

Mr. MERCER with Mr. GRIGGS.

Mr. LORIMER with Mr. FOSTER.

Mr. CRUMP with Mr. RUPPERT.

Mr. LINNEY with Mr. BELLAMY.

Mr. DOVENOR with Mr. NAPHEN.

Mr. MARSH with Mr. NEVILLE.

Mr. PHILLIPS with Mr. McDOWELL.

Mr. PUGH with Mr. ALLEN of Kentucky.

Mr. STEWART of Wisconsin with Mr. NORTON of South Carolina.

Mr. BURLEIGH with Mr. LASSITER.

Mr. DAVIDSON with Mr. COX.

Mr. PACKER of Pennsylvania with Mr. POLK.

Mr. MAHON with Mr. OTEY.

Mr. RUSSELL with Mr. McCLELLAN.

Mr. WRIGHT with Mr. HALL.

Mr. RAY of New York with Mr. TERRY.

Mr. BOUTELLE of Maine with Mr. BRADLEY.

Mr. FREER with Mr. PIERCE of Tennessee.

Mr. BINGHAM with Mr. BENTON.

Mr. MESICK with Mr. CUMMINGS.

Mr. REEDER with Mr. SLAYDEN.

Mr. BAILEY of Kansas with Mr. NOONAN.

Mr. LOUDENSLAGER with Mr. SPIGHT.

Until Monday, January 28:

Mr. GROW with Mr. CHANLER.

Mr. SHATTUC with Mr. BERRY.

For this day:

Mr. MCCALL with Mr. SCUDDER.

Mr. TAWNEY with Mr. BAILEY of Texas.

Mr. PEARCE of Missouri with Mr. MULLER.

Mr. WACHTER with Mr. WILLIAM E. WILLIAMS.

Mr. STEVENS of Minnesota with Mr. VANDIVER.

Mr. SPRAGUE with Mr. STOKES.

Mr. SPERRY with Mr. MAY.

Mr. RODENBERG with Mr. SPARKMAN.

Mr. PRINCE with Mr. RANSDELL.

Mr. POWERS with Mr. MADDOX.

Mr. PEARSON with Mr. McCULLOCH.

Mr. HAWLEY with Mr. LESTER.

Mr. DAHLE with Mr. KLUTZ.

Mr. BROMWELL with Mr. DENNY.

Mr. BAKER with Mr. BROUSSARD.

Mr. KAHN with Mr. CATCHINGS.

Mr. TOMPKINS with Mr. LEVY.

Mr. PAYNE with Mr. BURNETT.

Mr. O'GRADY with Mr. COONEY.

Mr. KERR of Ohio with Mr. DAVIS.

Mr. ACHESON with Mr. BRENNER.

Mr. ALDRICH with Mr. LENTZ.

On this vote:

Mr. LOVERING with Mr. BREWER.

Mr. HENRY C. SMITH with Mr. WILSON of New York.

Mr. GARDNER of Michigan with Mr. DAVEY.

Mr. ALEXANDER with Mr. GLYNN.

Mr. CANNON with Mr. MCRAE.

Mr. BURTON with Mr. BALL.

Mr. LINNEY. Mr. Speaker, I voted under a misapprehension. I am paired with my colleague, Mr. BELLAMY. I wish to withdraw my vote and be marked "present."

Mr. CANNON. I find I am paired with the gentleman from Arkansas, Mr. MCRAE. I desire to withdraw my vote and answer "present."

The result of the vote was announced as above stated.

On a motion of Mr. HULL, a motion to reconsider the last vote was laid on the table.

FORTIFICATION APPROPRIATION BILL.

Mr. HEMENWAY, from the Committee on Appropriations, reported a bill (H. R. 13822) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes; which was read a first and second time, and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Mr. RICHARDSON of Tennessee. I desire to reserve all points of order on this bill.

NAVAL APPROPRIATION BILL.

Mr. FOSS. I move that the House resolve itself into Committee of the Whole on the state of the Union for the further consideration of the naval appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union (Mr. MOODY of Massachusetts in the chair) and resumed the consideration of the bill (H. R. 13705) making appropriations for the naval service for the fiscal year ending June 30, 1902, and for other purposes.

Mr. FOSS. Mr. Chairman, I believe that when the committee rose last evening there was still pending a motion made by my colleague [Mr. CANNON] to strike out lines 5, 6, and 7, page 37, under the general heading "Naval Observatory."

The CHAIRMAN. That is the pending question.

Mr. FITZGERALD of Massachusetts. I suggest that the RECORD will show that the last paragraph of the bill was not read last evening; and inasmuch as this motion would not be in order until that paragraph has been read, I suggest that the RECORD be consulted to find out whether the bill has been completed or not.

The CHAIRMAN. The Chair is informed that the point of order was made against both sections to which the gentleman from Massachusetts refers. The Chair has no independent memory with regard to the matter, but the point of order was made and sustained by the Chair.

Mr. CANNON. Mr. Chairman, I would be glad to have the attention of the committee while I speak for a few minutes on the motion I have made to strike out this paragraph of the bill. The paragraph in question is found on page 37, under the head of "The Naval Observatory," and the lines I have moved to strike out are as follows:

New buildings: Erection of three houses for quarters, and for gas, steam, water, and electric-light connections, and furniture for the same, \$18,000.

I gather from what the gentleman from West Virginia [Mr. DAYTON] said on yesterday that it would be claimed that these three houses, at an expense of \$6,000 each, are to be built upon the Naval Observatory grounds, and furnished, no doubt, afterwards and kept in repair and maintained, possibly, with servants and messengers, as these official residences about Washington have been heretofore, and usually to give homes, as he claims, to three astronomers in civil life that are engaged in the work of observation in this Naval Observatory.

Now, it may mean that at the beginning, Mr. Chairman, but it may mean, on the other hand, and probably will mean a little later on, three first-class residences for three naval officers, to be occupied as I have indicated and equipped and furnished at the expense of the people of the United States. It could be either, as the matter is under the official direction of the Secretary of the Navy or the Navy Department; and in either event I am opposed to it, and think the provision should be stricken from the bill.

Now, what are the facts? First, here is a Naval Observatory that cost, in round numbers, \$800,000, and there is a magnificent palace out there not connected with the Observatory.

Mr. RICHARDSON of Tennessee. Let me interrupt the gentleman to ask if this \$800,000 includes also the real estate?

Mr. CANNON. I am not sure as to that. I think not. My impression is that it is not included in that amount.

But I was saying that there is a magnificent palace out there. It amounts to more than a residence, to a man who lives out in the Mississippi Valley, and not connected with the Observatory, that is built, and furnished, and equipped, and kept in repair. And I desire to say, in this connection, that if the same precedent is followed in the future as has been pursued in the past as to the other official residences, it will be largely, or in part at least, maintained at the public expense. I am not now speaking of the provisions or of the cooks, servants, and matters of that kind.

Now, that building is occupied by the commandant out there, who does not observe the stars, and has no more connection with the tides and the changes of the moon and the courses of the fixed stars—

Mr. NORTON of Ohio (interrupting). They have not any. [Laughter.]

Mr. CANNON (continuing). Than any animal that the mind can conceive of under the heavens.

Mr. NORTON of Ohio. The course of the fixed stars was rather a bad illustration.

Mr. CANNON. Oh, well, they have fixed courses. I am astronomer enough to know that they have, as well as the sun and all of the other heavenly bodies, fixed courses. The whole universe has its course, as the gentleman is probably aware.

But let that be as it may. I do not believe that further quarters ought to be constructed on that public reservation for the officers of the Navy. I do not believe that quarters should be constructed at all for the civil employees of the Government. There are eight or ten or twenty thousand of them—I do not know how many—here; but these astronomers are from civil life, and have been employed in the Naval Observatory, just as their predecessors have been employed there, for many years, I assume, and they get the salary, if I am correctly informed, of about \$2,000, or possibly more, annually.

This Observatory is near two of the lines of the street railways of the city. There is more or less of a suburban city near by, and rapid transit is furnished by these lines of railway to Georgetown and to the city of Washington.

Now, Mr. Chairman, there is a tendency all along the line, by one class and another, toward the appointment of people from civil life under our civil-service rules and regulations.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DAYTON. I ask that the gentleman's time be extended for five minutes.

Mr. CANNON. I want about that much time, Mr. Chairman, to read a little matter in connection with the subject that is now before the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. CANNON. This, Mr. Chairman, is but the commencement of a system of furnishing official residences, if it is to be, as will be claimed, for your civil-service employees and for the use of persons employed from civil life.

Now, let us see how things grow in this splendid capital of ours. I have here some memoranda as to the Naval Observatory, showing that in 1842 the law was passed for the erection of a depot of charts and instruments for the Navy. After its completion it was officially styled the National Observatory, and later still it was called the United States Naval Observatory and Hydrographic Office. That was the beginning, fifty-eight years ago. In 1866 Congress established the Hydrographic Office as a separate institution, and the charts were removed from the Observatory, leaving the Observatory without any distinctive naval function. It started as a hydrographic office. Then subsequently a hydrographic office was established and the hydrographic material moved out, leaving the Observatory alone, having no naval functions.

In 1886 an appropriation of \$50,000 for commencing the erection of the new Observatory was inserted in the naval appropriation bill for the year 1887. The subject was extensively debated in the House. I recollect that debate. The criticism was made by Hon. A. J. Warner, of Ohio, that unless some restrictions were imposed by Congress cottages—fine residences for the officers in charge and their families—would be constructed. As a result of that criticism and the discussion which followed there was coupled with the appropriation the following limitation. Listen:

Provided, That the construction of no building shall be commenced except an observatory proper, with necessary offices for observers and computers.

That was the way it was passed in 1886. There is no question from this debate but that it was the distinct purpose of Congress in imposing this provision that it should be binding upon all future appropriations to be made for the construction at the Naval Observatory. Notwithstanding this, an expensive residence has been constructed for the Superintendent, and now it is proposed to add three additional residences. The Superintendent of the Naval Observatory is a naval officer, not a practical or skilled astronomer, and he never, in fact, personally conducts observations. There is no more reason for providing him with an official residence than there would be for providing an official residence for the Public Printer or for the head of any of the Executive Departments in Washington. The nature of his duties in no wise requires his personal presence at the institution out of ordinary office hours.

The appropriations for the buildings—and now I will answer the question of the gentleman from Tennessee [Mr. SIMS]—the appropriations for the buildings at the Naval Observatory down to date amount to between \$700,000 and \$800,000. Now, if it is necessary for these three astronomers to have a place to live on the Naval Observatory grounds, there is that magnificent palace that would house three families and leave space to throw at the birds. Let them move the commandant out and let him be as other naval officers stationed in Washington and pay his own rent and furnish his own residence. It is not necessary that he should occupy it, and it would house these observers. I believe myself that that building, having been built there against the express declaration of Congress, should be closed and not occu-

pied at all, and that these several employees ought to do in the future as they have in the past, pay their rent, come and go about the observance of their duties. And for that reason I move to strike out this appropriation of \$18,000 for the building of the three residences.

Mr. SIMS. I want to ask the gentleman a question.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. I am sorry. I should be glad to answer the gentleman's question.

Mr. DAYTON. I suggest that opportunity be given the gentleman to answer the question.

Mr. CANNON. I have no objection to answering the question.

Mr. SHAFROTH. I ask unanimous consent that the gentleman be allowed ten minutes more.

Mr. CANNON. No; I do not desire more time than to answer the question.

The CHAIRMAN. If there be no objection, the gentleman will be permitted to occupy time to answer the question.

Mr. SIMS. I approve of what the gentleman has said, but I want to ask him if he does not think that there is about as much necessity for these buildings as there is for a \$5,000,000 memorial bridge or for a \$5,000,000 contribution to the St. Louis show?

Mr. CANNON. Well, as to the memorial bridge, I will say that we have already practically passed, as I understand, through both the House and Senate a law to put a bridge across the Potomac River at a cost of possibly a hundred and fifty thousand dollars.

Mr. SIMS. I beg pardon—\$558,000.

Mr. CANNON. The gentleman no doubt is correct. I was thinking about something else. Very well; that will care for getting people across the Potomac with still another bridge, which they could very well have done without, in my judgment. I am not for a memorial bridge at a cost of five or six or seven million dollars. We will meet that when we come to it. When my friend speaks of the St. Louis Exposition at a cost of \$5,000,000, we followed suit with Omaha, and then Buffalo followed suit, and then Atlanta, and then Nashville, and more and more until it looks as though the various State and county fairs were trooping along, and we will meet them when we come to them.

*Thou canst not say, I did it; never shake
Thy gory locks at me.*

[Laughter.]

Mr. DAYTON. Mr. Chairman, I hope—

Mr. NEWLANDS. May I ask the gentleman from Illinois a question?

Mr. CANNON. Certainly.

Mr. NEWLANDS. I would like to ask the gentleman from Illinois whether he has any views in regard to the taking of this Observatory out of the control of the Navy Department? My information is that it is really of no scientific value to the country or to the world, and that the Observatory would be much better administered by some other Department of the Government, with really scientific men at its head, instead of naval officers detached for duty there.

Mr. CANNON. The gentleman asks me a question of policy that is not necessarily connected with the building of these houses. I would say to my friend that no doubt my friend from West Virginia would not agree with me. I do not believe, to answer his question, that the Astronomical Observatory ought to be under the control of the Navy or the Army or any other Department in Washington. I think that we would have better administration and more economic administration if we were rid of that expensive house out there, under a direction that does not direct in scientific lines. That is my judgment; but it is not involved in this matter of whether or not we shall build three more houses that might be occupied by three more naval officers under this bill, and that would tend to strengthen the Navy in possession of that Observatory. I am not going to abuse the Navy or the Army. The human animal—and I am but a weak one of that species—the human animal generally, from the standpoint of self-interest, magnifies his specialty and gets all that he can in the performance of his duty at the expense of somebody else, whether that be the Government or individuals. I am not questioning that.

Mr. NEWLANDS. I wish to state to the gentleman that I understand that the naval observatory in England is of great scientific value not only to that country, but to the world, for the reason that the men in charge of the observatory are trained scientific astronomers and not naval officers. Now, I would call his attention to that and ask him whether it is not advisable that this entire department of the Government be placed under scientific control, with a view to the advance of scientific information.

Mr. CANNON. I will say to my friend now, if he will not call on me for names, because I do not like to give these in a city of official direction—I will say to him that men who have been in the service, scientific men, astronomers of this Naval Observatory, and men I apprehend that are in its service now, have protested to me time and time and time again that it was not so efficient as it

ought to be; that it was under a direction that was not in harmony, but that with less expense more efficiency could be had. But there is no provision here interfering with the administration of this Observatory.

Mr. SHAFROTH. What is the total amount appropriated for this Naval Observatory force?

Mr. CANNON. We have just appropriated \$10,000 to send an expedition over to Sumatra. The legislative bill carries that.

Mr. HEMENWAY. In supplies.

Mr. CANNON. Does the gentleman know how much?

Mr. HEMENWAY. I do not.

Mr. CANNON. This exact item is for \$18,000 for these three houses. I undertake to say, as to the people who are connected with the Naval Observatory, officially, but not practically, that it would require a considerable inquiry to find out how much they do receive, directly and indirectly, because—I am not saying that it is not properly used—it pertains to the Army and Navy both: quarters, commutation, increased pay from length of service, and so on, and so on.

I can not any more answer than I can answer how much it costs to maintain one of these Departments at Washington—for the head of the Department and the bureau—because that would involve the question of official transportation, the cost of those who drive the carriages, the cost of the man who stands at the private door, and sometimes are servants in the house. I am not speaking of any particular case, but that practically pertains to all administrations, and it would take somebody to make a very thorough investigation to tell how much it does cost or does not for one of these officers, when it gets outside of the salary that he gets—so much a month—when he gets his footstep planted in the public service so that he can direct somebody to go, and that somebody is paid from other funds that are not appropriated for the maintenance of his individual office.

Mr. DAYTON. Now, I hope the committee will grant me the patient hearing—

Mr. CANNON. I ask that the gentleman be granted such time as he desires.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from West Virginia may be permitted to conclude his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. DAYTON. I thank the gentleman and the committee. I hope the committee will give me the same careful attention that they have given to the gentleman from Illinois, because I think we are very apt to be misled by our lack of information in regard to this institution. I am very sorry, indeed, to hear from a gentleman for whose opinion I ordinarily have such a high regard as I do for that of the gentleman from Nevada, the implied criticisms of this institution, and which, I want to say to him, I have no doubt he is sincere in, but upon examination he will find are without sound foundation, and grow out of, to an extent, what I believe to be the usual fight in this country between those in office and those out. In other words, to a certain extent, at least, to an effort by the civilian astronomers to obtain control of this Observatory, and who would want much higher salaries than those paid to the professors of mathematics now managing it and doing the work there.

I insist that a careful examination will show that the Naval Observatory of the United States is superior, in many particulars at least, to any other in the world. We certainly have the grounds and the buildings, and with some necessary reforms which the Secretary of the Navy has sought earnestly to bring about, and to which I will refer in a moment, the work done at the Naval Observatory here at Washington will not be surpassed by that of any other in the world.

Now, in order that I may be understood, I want to call attention to the fact that the Observatory is at present managed and controlled in this way: There is one naval officer obtaining and receiving the regular salary of a naval officer, a captain, if you please, in the United States Navy, who is the executive head and the business chief of that institution. Then it is manned, so far as scientific work is concerned, by an astronomical director who is a member of the corps of mathematics, a distinct corps established by law and part and parcel of the United States Navy, and by a number of assistants who are also drawn from that corps, and who have been selected, especially more recently, by the severest and strictest examination, and who were drawn from the best scientific talent of the country.

I want to call the attention of gentlemen of this committee to the fact that that examination to-day to fill vacancies is based upon the severest test, and there can be no question but that the President of the United States by this method is seeking to fill the vacancies in this corps from the very best talent that will be the most competent and capable of carrying on this astronomical work.

I want to say further to the gentleman, that in June, 1899, the Secretary of the Navy, for the purpose of bringing about certain reforms, and for the purpose of investigating certain charges

made in the outside world against the conduct of the work done by the Naval Observatory, requested Senator CHANDLER, a member of the Naval Committee in the Senate, myself, as a member of the Naval Committee of the House, Professor Pickering, of Harvard University, Professor Hale, of Yerkes University, and Professor Comstock, of the University of Wisconsin—certainly the latter three representative astronomers of this country, men in charge of three of the largest and most important observatories of the country—to act as a board of visitors and to investigate the conditions of that Observatory from one end to the other.

In accordance with that request we went over, as far as was possible, as thoroughly as possible, the condition of the Naval Observatory and its management and its cost, and the result of our investigation is embodied in the report which I hold in my hand. We took occasion to investigate its history from start to finish and its management from start to finish. In addition to that, in order that there might be full and complete information presented to Congress and the country, certain questions set forth in this report were sent to almost every solitary scientific man of reputation in the country.

Among those questions was one whether or not this Observatory should be transferred from the Navy Department to some other Department, whether its efficiency would be promoted by such transfer, and whether, if such transfer was made, with what Department this Observatory should be connected. The answer to these questions presented an anomalous state of affairs. There was an absolute division of opinion that was nearly equal. For instance, my recollection is that 19 of the prominent astronomers suggested thought it ought to be disconnected from the Navy Department, and 19 said no; but when it came to their suggestions as to what Department it should be connected with, if disconnected from the Navy Department, the disagreement was enough—not to speak too lightly—to make any man's head ache.

There was almost as wide a divergence of opinion as opinions expressed. Some suggested the Treasury Department, some suggested the Geological, some the Interior Department, and some the Smithsonian Institution. Many thought—and I am sure the gentleman from Illinois would not be in favor of it—that it was immediately necessary to establish a new department of the Government, that of a department of science, and for the appointment of a secretary of that department, in order that this Bureau and this Observatory and one or two others might be connected with it and embodied in one institution. Others suggested that it was necessary for the Government, in order properly to administer the Observatory to establish a national university.

This board, composed, as I say, of a member of the Senate and a member of the House and these three representative astronomers, after considering the whole matter from one end to the other, reached the conclusion that in the absence of the department of science or of the national university the management of the Observatory could be and would be as properly carried out under the control of the Navy Department as any other and at a probably less expense than any other.

Now, as I stated a moment ago, the Observatory work is done, as far as the executive head is concerned, by an officer detailed from the United States Navy, but who does not have control of the astronomical work. To a certain extent he is the head of the Observatory, but the responsibility for the astronomical work is placed upon the astronomical director.

The question whether or not it would be better for the head of the institution to be an astronomer, either from civil life or from the corps of mathematics, is one which can not in this connection be determined. But, so far as the scientific work is concerned, I am satisfied that it is now being well done; and I want to call attention to the fact that in a 2-page article in Science of recent date, criticising Captain Davis's report to the Secretary of the Navy, it is admitted that the work is well done so far as the scientific part of it is concerned.

Therefore, I am sure my friend from Nevada [Mr. NEWLANDS] will not hereafter desire in any way to do injustice to an institution of this country which may stand at the head, and should stand at the head, of all similar scientific institutions throughout the world.

Mr. NEWLANDS. May I ask the gentleman what is the date of the report to which he refers—the report of these three astronomers?

Mr. DAYTON. Eighteen hundred and ninety-nine; and since that time—

Mr. NEWLANDS. I will say to the gentleman that I have no information at all about that report. My information came from a scientific man who about a year ago was bemoaning the fact that the work of the Naval Observatory did not have the scientific value of work of the naval observatory in England. My question was simply for information. I am very much gratified to know that the Senate committee, as well as this commission, have gone into the matter so thoroughly as the gentleman states.

Mr. DAYTON. I have no doubt that the scientific world would

be glad to get control of this institution; but we investigated that matter, and we found substantially that if we wished to obtain the best talent of the country at the head of this Observatory, and also for the position next in rank as astronomer, we would be required to pay \$5,000 in one case and \$4,000 in the other. Harvard University, if I remember correctly, pays \$5,000 to its chief astronomer. The difference in salary is in the proportion of \$2,400 to \$4,000 or \$5,000.

I come now to the true point in issue here—the objection made by the gentleman from Illinois [Mr. CANNON] to the erection of these buildings. Congress has heretofore, without objection, built a house costing \$20,000 on the Observatory grounds for the executive head of this institution—the naval officer, if you please—against whom the gentleman's criticism is mainly directed. We have also built two other houses at a cost of nearly \$12,000 for the benefit of the astronomical director and another officer, whose position I do not exactly remember.

Last year, without objection—at the earnest solicitation of the captain in charge of the Observatory—an additional building was erected for the watchman of the grounds. I have opposed systematically in the Committee on Naval Affairs, and that committee has opposed, the allowance of these appropriations for quarters to officers. But here is the situation: These astronomers coming from the corps of mathematics, receiving salaries at the rate of \$2,400 a year, are compelled to go there—the younger men, if you please—the men who do the practical scientific work—are compelled to go there as soon as the night comes. They stay there watching night after night, whenever the atmosphere is cloudless enough to enable them to carry on their examination of the heavens.

Frequently in the middle of the night, at 2 or 3 or 4 o'clock, the sky clouds and their work is ended for the night. The street cars are not running. That Observatory is situated yonder, far away from their homes. There is nothing in the world for them to do but to remain there or walk to their homes. Their salaries are not so munificent that they are able to have for their convenience carriages with servants to drive them.

Mr. NEWLANDS. What is the salary of the director?

Mr. DAYTON. The astronomical director?

Mr. NEWLANDS. Yes, sir.

Mr. DAYTON. He is a member of the corps of mathematics, and his salary depends upon length of service. It can not exceed \$3,500. It is \$2,400 when he enters the service; and most of these men have been appointed within the period of five years, giving them a salary of \$2,400.

Mr. NEWLANDS. Does not the gentleman think such a salary is insufficient for an astronomer of note?

Mr. DAYTON. I say, without a moment's hesitation, that if we should seek to put in that position an astronomer of note—a man worthy of the place—from civil life it would be impossible for us to obtain his services at that salary.

Now, I want to be absolutely frank about this matter, and I want to say that there is this advantage belonging to this corps of mathematics. These men when they reach the age of 64 years will be retired just the same as any other naval officer; and I believe honestly and conscientiously that to be the one reason why we are able to fill these places at the Naval Observatory, at the salaries we pay—because of the fact that the positions are life positions, carrying with them the benefit of that retirement clause.

But certain it is that the character of the work done at the Naval Observatory is such that if there is in any case an excuse for quarters being granted to any officer, the reasons in favor of it apply to these men. And in the light of the fact that we have already embarked upon this policy at the Naval Observatory, and in view of the careful examination of the matter by the board, I hope this amendment will not prevail. We made this recommendation because we believed that unless we provided residences on the ground for these officers the result would be inconvenience and the retarding of the work. After examination the board made their recommendation in this language:

The experience of every great observatory shows that the efficiency of its staff is materially increased by the provision of quarters near the observing rooms for those persons who are engaged in work by night; and we recommend that there should be quarters provided upon the observatory grounds for all the members of the astronomical staff regularly assigned to night work.

Now, a part of these quarters have been provided, as I say—the largest and most important part of them—for the captain, who does none of the work. For the rest of them—for the younger ones who are engaged in this naval work at the Observatory—it is a simple matter of justice and right that similar quarters shall be provided for them, because of the circumstances I have undertaken to narrate to the committee.

The Navy Department, I will state, made a recommendation for \$18,000 to be expended for two of these houses. The Committee on Naval Affairs of the House cut off \$5,000 from the regular annual appropriation for the improvement of the grounds—for grading. It was \$10,000 for this purpose last year. If the gen-

tleman from Illinois will note, it is but \$5,000 in the pending bill, and so we have decreased and cut off \$5,000 from the grading of the grounds and appropriated the \$18,000 as requested by the Navy Department for three of the houses instead of two.

The prosecution of this work is a necessity.

I hold it to be a necessity which has been demonstrated by a careful investigation of the matter, an existing necessity, and the Secretary of the Navy, in the strongest language, recognized it as a necessity; the chief of the bureau has pointed it out to the committee as an absolute necessity, and they have been sending these estimates to us year after year, in order to bring about the desired result. And to accomplish that we have reduced the grading \$5,000, and provided for the three houses at \$18,000, or in fact at a cost of but \$13,000 of new appropriations, as the gentleman will see.

So, Mr. Chairman, under the circumstances I hope the committee—while I do not consider this a matter of supreme importance in connection with the bill—I hope the committee will allow the provision to stand and reject the motion to strike out.

Mr. CANNON. Now, Mr. Chairman, I wish to add a word in conclusion, and then I will ask a vote upon the motion, unless some gentleman desires to be heard further touching the matter.

The gentleman from West Virginia says—and there is truth, I apprehend, in the statement—that a residence costing \$20,000, or at an expense of \$20,000, was built out there to be occupied by the naval officer, and merely for his executive offices, and at an expenditure of \$60,000 a year the Government has been maintaining this service.

Mr. DAYTON. But the gentleman must not lose sight of the fact that he has charge of Government property there, amounting to nearly a million—I think, in round numbers, \$900,000—which must be protected.

Mr. CANNON. Now, let us see how that proposition conforms to the organic act. Here is the enabling clause, when the building of the Naval Observatory was appropriated for some five years ago or more. I read now in italics:

Provided, That the construction of no building shall be commenced except an observatory proper, with necessary offices for observers and computers.

Now, there is the enabling act; and yet the gentleman knows, and the members of this committee know, how the business is transacted; they know how these great sums of money are appropriated in the hurry and rush of business; in the reports of committees lump sums are appropriated for this, that, and the other; and yet, when once appropriated, they, under the guise of building an office, put up a \$20,000 building, if a convenient Comptroller and Auditor does not oppose them; and so, I repeat, they put up a \$20,000 residence, and furnish it and make a convenient home of it instead of a business office.

Now, I undertake to say that the appropriation to which the gentleman refers is not necessary and should not have been made. The gentleman says we appropriate only \$5,000 for the grading. In my judgment, the committee ought not to have provided anything for that purpose at this time.

I hold in my hand the legislative act for this year, the annual bill, which appropriates, in round numbers, \$60,000 for the civil staff out there, assistant astronomers, etc. I believe that that does not include the astronomical director. I believe it does not include—I will ask the gentleman how many there are employed there now?

Mr. DAYTON. I think four. But if the gentleman will pardon me, I do not know how many unnecessary employees the Committee on Appropriations may be allowing out there at the Naval Observatory on account of the grounds or buildings. But I speak of that part alone which comes under the jurisdiction of the Committee on Naval Affairs, belonging to the grading of the grounds.

Mr. CANNON. Now, that is a very plausible statement, and yet the gentleman is one of a self-constituted board—one from the Committee on Naval Affairs and one from the Senate—I say "self-constituted" because they are not constituted by any law, to do what? To go and sit in judgment over there at the Observatory, and bring in recommendations here that the necessities of the situation require that appropriations should be made because they recognize the need of doing so and so at that institution. It seems there is a divinity that surrounds us, so to speak, whenever you get anything in the domain of officialism about the city of Washington, and I speak respectfully—

Mr. DAYTON. May I ask the gentleman a question?

Mr. CANNON. Yes.

Mr. DAYTON. Do not you think that the chairman of the Committee on Appropriations would possibly be better able to answer very many of the questions and to perform his duty even in an abler manner than he is performing it if he would take occasion to visit and carefully and honestly and earnestly examine into these public institutions?

Mr. CANNON. Well, now, I will reply to that question in the same spirit in which it is asked, and I have nothing but the kindest

feelings toward the gentleman. The gentleman from Illinois, chairman of the Committee on Appropriations, is chairman of a committee which has charge of the preparation of bills that run along the whole field of governmental expenditures. The committee of which the gentleman from West Virginia is a member has charge of an appropriation bill that is peculiar to the Navy, and like every other specialist he magnifies it and minimizes everything else. Now, the difference between my committee—and I speak respectfully of the gentleman's committee, they have much ability, they have much integrity, and everything else—the difference is this: My friend before now has seen a hen with fifteen or twenty chickens, and she walks along and clucks now and then and does not sputter; but when you get a hen with one chicken, she runs its legs off trying to take care of it. [Laughter.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GIBSON. Regular order.

Mr. DAYTON. I would like to ask the gentleman, in all kindness, if he does not think that for a number of years he has had enough of his own chickens to cover with his beneficent wing without attempting to cover those of the other hens in the House, and would it not be well enough to give the gentleman a few less chickens to take care of?

Mr. CANNON. Well, after all said and done—

The CHAIRMAN. The gentleman's time has expired, and the regular order is demanded.

Mr. SHACKLEFORD. I ask unanimous consent that the gentleman's time be extended.

Mr. GIBSON. I object.

The CHAIRMAN. Objection is made.

Mr. CANNON. Of course, when the luminary from Tennessee comes that is the end of the whole business.

Mr. GIBSON. It seems that the luminary from Tennessee has eclipsed the sun from Illinois this time.

Mr. CANNON. I ask for a vote, Mr. Chairman.

Mr. NEWLANDS. Mr. Chairman—

The CHAIRMAN. Debate is exhausted, and a vote is demanded.

Mr. NEWLANDS. I move to strike out the last word.

The CHAIRMAN. The gentleman from Nevada.

Mr. NEWLANDS. Mr. Chairman, this amendment, as I understand it, makes an appropriation for three new buildings for the Naval Observatory.

Mr. CANNON. That is it, sir.

Mr. NEWLANDS. And the question is whether these three new buildings are necessary.

Mr. DAYTON. That is the whole thing.

Mr. NEWLANDS. That is the only question. Incidentally a discussion has arisen here as to the wisdom of maintaining the astronomical observatory under the control of the Navy, and with reference to that I asked certain questions which elicited a very clear statement from the gentleman from West Virginia [Mr. DAYTON]. So far as I am concerned, I am very glad that the Committee on Naval Affairs constituted itself a committee to look into the administration of this department of the Government.

Mr. DAYTON. I thank the gentleman for that expression.

Mr. NEWLANDS. I think they acted very wisely in bringing into communication and consultation with them three noted astronomers of the country. I think they are to be commended rather than reprobated for that action. Now, I must say that this question as to where the control of that department should rest is still an open question with me; but it is now being conducted in the Navy Department, and it appears that in order to continue that work properly it is essential that these gentlemen who are engaged in observation and computation should have their quarters near the Observatory. Now, it may be that Congress commenced at the wrong end when it began the making of these appropriations. I think it did, perhaps, when it made an appropriation of \$50,000 for the residence of the commandant.

Mr. DAYTON. I agree with the gentleman exactly in that.

Mr. NEWLANDS. I think it would have been much wiser if the appropriation had been made for the purpose contemplated in the present appropriation.

Mr. DAYTON. That is right.

Mr. NEWLANDS. But the fact that Congress made a mistake in the past regarding that does not do away with the present necessity of meeting this demand, and for that reason I shall vote against the amendment offered by the gentleman from Illinois.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Illinois [Mr. CANNON].

The question being taken, on a division (demanded by Mr. CANNON) there were—ayes 62, noes 32.

Accordingly the amendment was agreed to.

MESSAGE FROM THE PRESIDENT.

The committee informally rose; and the Speaker having taken the chair, a message in writing from the President of the United

States was communicated to the House of Representatives by Mr. PRUDEN, one of his secretaries, who also informed the House that the President had on January 24, 1901, approved and signed bills of the following titles:

H. R. 10498. An act to create a new division in the western judicial district of the State of Missouri; and

H. R. 11008. An act authorizing the Solicitor of the Treasury to quitclaim and release certain title and interest of the United States to Mrs. Lutie M. Newlin.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

Mr. FOSS. I ask unanimous consent to recur to page 4, line 2.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to recur to page 4, line 2. Is there objection?

There was no objection.

Mr. FOSS. I have a letter from the Secretary of the Navy, saying that the Department will be seriously embarrassed unless \$100,000 of the emergency fund is made immediately available, and I ask the Clerk to read the letter of the Secretary of the Navy.

The Clerk read as follows:

NAVY DEPARTMENT,
Washington, January 24, 1901.

SIR: Referring to H. R. 13705, making appropriations for the naval service for the fiscal year ending June 30, 1902, and for other purposes, and to the item "Emergency fund, Navy Department, to meet unforeseen contingencies for the maintenance of the Navy constantly arising, to be expended at the discretion of the President, \$500,000," lines 24 and 25, page 3, and 1 and 2, page 4, I have the honor to invite your attention to the Department's letter of January 15, 1901, relative to an appropriation of \$500,000 as an emergency fund to be expended at the discretion of the President, for the fiscal year 1902, in which it was requested that of this sum \$100,000 should be made immediately available. The appropriation "Emergency fund, Navy Department, 1901," amounting to \$300,000, is now practically exhausted, and unless provision be made for an emergency fund for the balance of the present fiscal year to meet such conditions as may arise abroad, which can not be foreseen, it is probable that the Department will be embarrassed by the lack of available funds in an emergency. It is requested, therefore, that of the sum, \$500,000, provided for an emergency fund, Navy Department, for the fiscal year 1902, \$100,000 be made immediately available.

In connection with the Department's letter of January 15, 1901, above mentioned, I have the honor to invite your attention to the estimate of the Bureau of Navigation embodied therein of an appropriation of \$400,000 for the maintenance of colliers for the fiscal year 1902. This appropriation, as explained in the letter of the Bureau of Navigation, No. 24788, of the 8th instant, a copy of which was forwarded to you with the department's letter of the 15th instant, was intended to cover the pay, transportation, shipping, and subsistence of civilian officers and crews of naval colliers, and all expenses connected with such colliers which can not be paid from other appropriations. In view of the statements of the Chief of the Bureau of Navigation as to the necessity and advantage of keeping these vessels in commission, it is requested that the provision above referred to be inserted in H. R. 13705, now under consideration by the House of Representatives.

Very respectfully,

JOHN D. LONG, Secretary.

Hon. GEORGE EDMUND FOSS,
Chairman Committee on Naval Affairs,
House of Representatives, Washington, D. C.

Mr. CANNON. I will say to my friend that under the rules of the House all deficiencies go to another committee, and no doubt other naval deficiencies. While I did not object in some instances where matters were made immediately available in the consideration of this bill, I really ought to have done so, because, for the convenience of the members of the House as well as the country, they ought to be carried in one bill and the appropriations for the current year in another. The deficiency bill will become law as soon as this bill does, so I think that the better way would be to adhere to the rule. I suggest to my friend, in the absence of public emergency, that he withdraw it.

Mr. FOSS. Mr. Chairman, so far as I am concerned, I am not particular about the matter. If the gentleman will insert the matter in the deficiency bill, I think that will be the proper place for it. All I desire is that the Secretary of the Navy should get the appropriation some way or other.

Mr. CANNON. If the Committee on Appropriations have the matter before them. I think we have a similar letter. I have no doubt the official reference goes to the Committee on Appropriations. If that committee does not report it on the deficiency bill, the gentleman will see to it that an amendment is offered. There is no desire to interfere in the matter.

Mr. FOSS. I withdraw the matter. Now, Mr. Chairman, I move that the committee rise and report the bill, with amendments, to the House, with a favorable recommendation.

The question was taken, and the motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. MOODY of Massachusetts, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13705, and had directed him to report the same with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended, do pass.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. FOSS. Mr. Speaker, I move the previous question on the bill and amendments to its final passage.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading.

Mr. RIXEY. Mr. Speaker, I desire to submit a motion to recommit to the committee with the following instructions.

The SPEAKER. We have not reached that point.

The bill was accordingly read the third time.

Mr. RIXEY. I offer the following motion.

The SPEAKER. The gentleman from Virginia offers a motion, which the Clerk will report.

The Clerk read as follows:

I move to recommit to Committee on Naval Affairs, with instructions to strike out the paragraph authorizing the construction of two battle ships and two armored cruisers, all from and including line 22, on page 62, to line 11, on page 63.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Virginia.

The question was taken, and the Speaker announced that the yeas appeared to have it.

Mr. RIXEY. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 42, noes 71.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. FOSS, a motion to reconsider the vote by which the bill was passed, was laid on the table.

PHILIPPINE ISLANDS.

The SPEAKER laid before the House the following message from the President of the United States; which was read, referred to the Committee on Insular Affairs, and ordered to be printed:

To the Senate and House of Representatives:

For the information of the Congress, and with a view to such action on its part as it may deem wise and appropriate, I transmit a report of the Secretary of War made to me under date of January 24, 1901, containing the reports of the Taft commission, its several acts of legislation, and other important information relating to the conditions and immediate wants of the Philippine Islands.

I earnestly recommend legislation under which the government of the islands may have authority to assist in their peaceful industrial development in the directions indicated by the Secretary of War.

WILLIAM MCKINLEY.

EXECUTIVE MANSION, January 25, 1901.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. FITZGERALD of New York, for one week, on account of important business.

To Mr. GREENE of Massachusetts, for three days, on account of important business.

LEAVE TO PRINT.

Mr. THOMAS of North Carolina obtained leave to print remarks on the river and harbor bill relating to the improvement of the Upper Cape Fear River, North Carolina, having been necessarily absent during the debate on the bill.

ORDER OF BUSINESS.

Mr. GIBSON. I move that the House resolve itself into Committee of the Whole for the purpose of disposing of bills on the Private Calendar under the special rule.

The SPEAKER. The gentleman from Tennessee moves that the House resolve itself into Committee of the Whole for the consideration of the Private Calendar, in pursuance of the special order therefor.

The question was taken, and the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. CAPRON in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of certain bills on the Private Calendar, under the rule, and the Clerk will report the first bill.

CHARLES SCHAUPP.

The first bill on the Calendar was the bill (H. R. 9271) to remove the charge of desertion against Charles Schaupp, alias Phillip Schaupp, and authorizing his honorable discharge.

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to remove the charge of desertion against Charles Schaupp, alias Phillip Schaupp, late a private soldier in Company E of the First New York Cavalry, and to issue to said soldier an honorable discharge.

The amendment recommended by the committee was read, as follows:

At the end of the bill add the following:

"Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

Mr. STEELE. Let us have the report on that bill read, Mr. Chairman.

The CHAIRMAN. The report will be read in the gentleman's time.

The report (by Mr. KETCHAM) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 9271) for the removal of the charge of desertion against Charles Schaupp, alias Phillip Schaupp, and authorize his honorable discharge, report the same back to the House with the recommendation that it do pass with the following amendment: "Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

The soldier in his evidence filed in the War Department has explained the cause of his leaving the service, and because of his good standing and reliability your committee are constrained to believe his testimony is true, and therefore recommend a favorable consideration. The War Department record is hereto appended and made a part of this report.

Case of Charles Schaupp, alias Phillip Schaupp, late of Company E, First New York Cavalry.

It is shown by the records that Phillip Schaupp, also borne as Charles Schaupp, was enrolled August 1, 1861, as a private in Company E, First Regiment New York Cavalry Volunteers, to serve three years. He appears to have served faithfully until February 18, 1863, when he deserted near Winchester, Va. He was arrested July 29, 1863, by the acting assistant provost-marshal-general, New York City, and delivered at the military post, Washington, D. C., July 31, 1863. He was received at Forrest Hall Prison, District of Columbia, July 31, 1863, and was sent to Camp Distribution, near Alexandria, Va., August 14, 1863, where he was received and whence he departed on the same date. He did not rejoin his command, and nothing has been found of record to show that he was discharged or left the service by permission of competent authority, and in the absence of such a record he is regarded by this Department as having again deserted August 14, 1863. Nothing has been found of record to show that he was captured or that he was wounded, as alleged.

In an application for a certificate of honorable discharge, involving removal of charge of desertion, Schaupp testified, March 5, 1891, as follows:

"That he was detailed on the 10th of March to escort a captain from Winchester to Martinsburg, Va. On his return back to Winchester he was captured by the guerrillas and was robbed of an overcoat and a new pair of boots, which he gave \$9 for, and was wounded by the guerrillas in his left thigh; and he made his escape from the guerrillas and went to a farmhouse, where he remained about six weeks before he recovered from his wound so he could walk; then took train and went to Pittsburg, Pa., when his father came after him and kept him until he got well. Then captain of police station sent him to Georgetown, where he remained six weeks; then sent to Camp Review for about eleven months, where he received a pass to come home."

The application for removal of the charge of desertion in this case has been denied and now stands denied, on the ground that the soldier did not complete his term of enlistment and that it has not been established that he was prevented from completing it by disability incurred in the line of duty, and because the case does not come within any of the other provisions of the act of Congress approved March 2, 1889, which is the only law now in force governing the subject of removal of charges of desertion.

Respectfully submitted.

JOHN TWEEDALE.

Acting Chief Record and Pension Office.

RECORD AND PENSION OFFICE,

War Department, March 12, 1900.

The SECRETARY OF WAR.

Mr. STEELE. Mr. Chairman, it is very plain that this man was a willful deserter. He deserted, was captured, was taken to a place of confinement, escaped from that and never returned. Now, this appears from the report, and I hope that the gentleman in charge will let the bill go over and not undertake to press it here to-day. This is not the place nor the time to give relief to men who willfully deserted their comrades in the time of need. It is to help those who need help, and not a willful deserter. I hope that whoever has the bill in charge will let it go over.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. STEELE. Mr. Chairman, I want the House to understand that this man was a willful deserter; he was arrested, taken to a rendezvous, and deserted again. I want the House to say whether it is going to give this man a clear record to-day.

Mr. BARTLETT. It is only the first step toward a pension.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The question is on laying the bill aside with a favorable recommendation.

The question was taken, and was decided in the negative.

The CHAIRMAN. The Clerk will read the next bill.

Mr. BARTLETT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BARTLETT. The Chair has decided the motion to report the bill with a favorable recommendation in the negative. Ought there not to be something else done with the bill and not leave it in Committee of the Whole?

The CHAIRMAN. The Chair will rule that it goes to the Calendar unless some further action is taken by the committee.

Mr. STEELE. If there is any question about it, Mr. Chairman, I move that the bill be reported back to the House with the recommendation that it lie on the table.

The motion was agreed to.

WILLIAM LAPOINT.

The next business on the Private Calendar was the bill (S. 3148) to correct the military record of William Lapoint.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to correct the military record of William Lapoint, late private in Company C, Third Vermont Volunteers, by removing the charge of "desertion" and substituting "absented himself without proper authority

in January, 1863, and so remained to December 25, 1863, when he enlisted as a private in Company H, Ninth Regiment Vermont Infantry Volunteers, and served faithfully in said company, and in Company C, same regiment, to which he was duly transferred June 13, 1865, until December 1, 1865, when he was honorably discharged with his company."

The bill was laid aside to be reported to the House with a favorable recommendation.

FREDERICK A. NOELLER.

The next business on the Private Calendar was the bill (H. R. 3825) granting an honorable discharge to Frederick A. Noeller.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to correct the military record of Frederick A. Noeller, late a private in Company K, One hundredth New York Infantry Volunteers, and grant him an honorable discharge to date as of the 31st day of October, 1863.

The following amendment was recommended by the Committee on Military Affairs:

Add at the end of line 8 the following amendment: "Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

Mr. STEELE. Mr. Chairman, I ask that the report be read.

The Clerk read the report (by Mr. MARSH), as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 3825) to grant an honorable discharge to Frederick A. Noeller, report the same back to the House with the recommendation that it do pass after adding at the end of line 8 the following amendment: "Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

The report from the War Department sets forth the facts of this soldier's service, and is hereto annexed and made a part of this report.

Case of Frederick A. Noeller, late of Company K, One hundredth New York Infantry Volunteers.

A report in this case was furnished the Committee on Military Affairs, United States Senate, on Senate bill No. 1119, Fiftieth Congress, first session, February 20, 1888.

Following is a copy:

"Frederick A. Noeller was enrolled August 30, 1862, at Buffalo, N. Y., to serve three years, and served in Company K, One hundredth New York Volunteers, until July 18, 1863, when he was wounded in action at Morris Island, South Carolina. On July 19, 1863, he was admitted to General Hospital No. 2, Beaufort, S. C., with 'gunshot wound, left calf, flesh,' and was transferred October 2, 1863; entered McDougall General Hospital, Fort Schuyler, New York Harbor, October 6, 1863, and deserted October 31, 1863. He never returned to hospital or to his company, he being reported on the muster-out roll of the latter, dated August 28, 1865, as 'deserted October 31, 1863, from McDougall Hospital, New York Harbor.'

"The following is a synopsis of testimony submitted to this office in 1879, 1882, and 1883, with a view to the removal of the charge of desertion, to wit: "Noeller testified that after remaining in hospital on Long Island, New York, for three months he was granted a furlough for a short time, but on account of sickness he did not reach his home until the time expired. Finding that he was not able to return, he wrote to the captain of his company, inclosing a physician's certificate and asking his discharge; received no answer for months, but finally received a letter from the first sergeant informing him that he had been reported a deserter; tried several times to have the report altered, but through ignorance of the mode of procedure did not succeed.

"J. A. Reid, M. D., of Davenport, Iowa, testified that he first treated Noeller about November 3, 1863, at which time he was at Davenport, Iowa, on furlough; that he was suffering from gunshot wound of left leg, rendering him totally unfit for duty; that he (affiant) gave a certificate, which was forwarded to the captain of Noeller's company for his discharge; is unable to give dates of treatment subsequently, as his books were destroyed by fire in 1871; has treated Noeller since his discharge for the wound and its effects.

"Edward Pratt, late first sergeant and second lieutenant Company K, One hundredth New York Volunteers, testified to the fact of Noeller being wounded, to his being reported from the hospital as a deserter, and that he (affiant) received a certificate from Dr. J. A. Reid stating that Noeller was unable to travel, but before he could use it to Noeller's benefit the certificate was lost.

"G. B. Dandy, brevet brigadier-general, United States Army, late colonel One hundredth New York Volunteers, certified that Noeller was a gallant soldier who was wounded in action, and recommends that a pension be granted him if his explanation of his absence is satisfactory.

"On June 21, 1883, this office declined to remove the charge of desertion on the ground that as there was no record of his alleged furlough, as he was physically able to travel from New York City to Davenport, Iowa, and as he never returned, the charge of desertion against him was not erroneously made, and that the Department consequently had no power under (then) existing law to remove the charge.

"On April 23, 1884, Hon. S. M. Cullom, United States Senate, left at this office a letter addressed to him by Noeller in which he (Noeller) claimed an honorable discharge on the ground that his error in reporting to his company officers instead of to the hospital from whence furloughed should not operate to his disadvantage.

Mr. STEELE (interrupting the reading). Mr. Chairman, I do not think it is necessary to read further. The man was evidently wounded and unable to return to his command.

The committee amendment was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

Mr. FLETCHER. Mr. Chairman, I would like to ask what has become of the bill H. R. 6492, which the Clerk seems to have passed over?

The CHAIRMAN. What is the Calendar number?

Mr. FLETCHER. The Calendar number is 1301.

Mr. GIBSON. I will suggest, Mr. Chairman, that we go on, and that time be not taken up now in looking for the bill.

The CHAIRMAN. The Chair will state that the bill will be looked up, and in the meantime the Clerk will proceed with the next bill.

SAMUEL MINNICH.

The next business on the Private Calendar was the bill (H. R. 12476) granting an increase of pension to Samuel Minnick.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel Minnick, late of Company E, Fifteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

With the following committee amendments:

In line 6 strike out the word "Minnick" and insert in lieu thereof the word "Minnich."

Amend the title so as to read: "A bill granting an increase of pension to Samuel Minnich."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

THOMAS J. JACKSON.

The next business on the Private Calendar was the bill (S. 1952) granting an increase of pension to Thomas J. Jackson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to pay to Thomas J. Jackson, late lieutenant-colonel Eleventh Regiment United States Colored Troops (Infantry) a pension of \$50 per month in lieu of that he is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

FRANCIS H. PIKE.

The next business on the Private Calendar was the bill (H. R. 2396) granting an increase of pension to Francis H. Pike.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Francis H. Pike, late of the band, Second Brigade, Tenth Army Corps, and pay him a pension of \$30 per month in lieu of that he now receives.

The bill was laid aside to be reported to the House with a favorable recommendation.

GEORGE M. WALKER.

The next business on the Private Calendar was the bill (H. R. 12566) granting a pension to George M. Walker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George M. Walker, late civilian captain United States transport *Fulton*, and pay him a pension at the rate of \$24 per month.

The following amendments were recommended by the committee:

In line 6 strike out the word "civilian."

In line 7 strike out the word "twenty-four" and insert in lieu thereof the word "seventeen."

The amendments recommended by the committee were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

PETER LUNDBERG.

The next business on the Private Calendar was the bill (H. R. 9235) granting a pension to Peter Lundberg, of Wayne, Nebr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll of the United States, subject to the provisions and limitations of the pension laws, the name of Peter Lundberg, late of Company D, Third Regiment Minnesota Volunteer Infantry, and grant the said Peter Lundberg a pension at the rate of \$12 per month.

The following amendments were recommended by the committee:

In line 4 strike out all after the word "roll" and all of lines 5, 6, 7, 8, and 9 and insert in lieu thereof the following: "subject to the provisions and limitations of the pension laws, the name of Peter Lundberg, late of Company D, Third Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$12 per month."

Amend the title so as to read: "A bill granting a pension to Peter Lundberg."

The committee amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

GEORGE P. OVERTON.

The next business on the Private Calendar was the bill (H. R. 10480) granting an increase of pension to George P. Overton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George P. Overton, late of Company E, Fifteenth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

JACOB W. KOUTS.

The next business was the bill (H. R. 5195) to increase the pension of Jacob W. Kouts.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jacob W. Kouts, of Ontario, Cal., late private in Company D, First Regiment Minnesota Volunteer Infantry, and pay him a pension of \$50 per month in lieu of that he now receives.

The amendments reported by the Committee on Invalid Pensions were read and agreed to, as follows:

In line 6 strike out all after the word "Kouts" and all of lines 7, 8, and 9 and insert in lieu thereof the following:

"Late of Company D, First Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving." Amend the title so as to read: "A bill granting an increase of pension to Jacob W. Kouts."

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

JOHN D. COHLER.

The next business was the bill (H. R. 12444) granting an increase of pension to John D. Cohlér.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John D. Cohlér, late of Company G, One hundred and fortieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

Mr. BARTLETT. I would like to hear the report read in this case. I wish to know why this soldier's pension should be increased to \$50 a month, that being, as I understand, the extreme limit to which the committee has gone.

Mr. GIBSON. In order to obviate the reading of the report, I desire to make a statement of this case.

This man served in the Army from August, 1862, until August, 1865. He was wounded in battle several times. He is now paralyzed and deaf and absolutely incapable of taking care of himself. He constantly requires the help of another person.

Mr. BARTLETT. Do I understand the gentleman to say he is totally disabled?

Mr. GIBSON. He is—from injuries received in battle. The pension ought really to be at a higher rate, but the committee fixed this figure.

Mr. GROSVENOR. I should like to ask the gentleman from Tennessee [Mr. GIBSON] why a soldier in the condition described, and whose helpless condition is the result of wounds received in battle, can not have a pension of \$72 a month under the existing statutes of the United States?

Mr. BARTLETT. I was going to ask that question myself—why this soldier can not get the increase of pension at the Pension Office.

Mr. MIERS of Indiana. He is unable to show certainly, or to the satisfaction of the Pension Office, that his disability is of service origin.

Mr. GROSVENOR. If the disability is the result of wounds, it ought not to be difficult to show that those wounds were received in the military service.

Mr. GIBSON. In the Pension Bureau it is necessary that it should appear beyond reasonable doubt that the disability is the result of Army service. In the Invalid Pension Committee, we decide the case upon the preponderance of the testimony. That is the difference.

Mr. BARTLETT. May I ask the gentleman from Tennessee a question?

Mr. GIBSON. Certainly.

Mr. BARTLETT. As I understand, in order that a man may have his case considered by the Committee on Invalid Pensions, he must first have made application at the Pension Office and been refused.

Mr. GIBSON. That is correct.

Mr. BARTLETT. And this applicant has applied to the Pension Office for an increase of pension?

Mr. GIBSON. And he now appeals to Congress for equitable relief.

Mr. BARTLETT. The Pension Office has turned down the application—refused to grant the increase?

Mr. GIBSON. It refuses to pay him the amount to which he thinks himself entitled.

Mr. BARTLETT. For the reason that he is not totally disabled, or for the reason that he did not show that his disability was of service origin?

Mr. GIBSON. The Pension Bureau holds that his present disability is not entirely the result of wounds received in Army service.

Mr. GROSVENOR. What is the rate of pension he is now receiving?

Mr. GIBSON. Thirty-six dollars a month.

Mr. GROSVENOR. That is evidence that the Pension Office has decided that this disability has come from service in the Army; otherwise he could not receive \$36. Now, that being the case—this man being disabled, as the chairman of the committee has

stated, by wounds received in battle, having been wounded three or four times, and the Pension Office having passed affirmatively upon the question whether the disability was caused by Army service, for he is already receiving a pension of \$36 a month—I want to know whether this man, upon the statement made by the chairman of the committee, is not entitled under the law of this country to a pension of \$72 a month. And I want to know another thing. What bureau of this Government established the rule that the claims of a soldier for pension must be made out beyond reasonable doubt? Where is there any law for such a proposition as that? If it is a matter of statute it had better be repealed.

Mr. NORTON of Ohio. You are right.

Mr. GROSVENOR. And if it is a matter of regulation, it ought to be a curse to the man who made such a regulation. [Applause.] When crime is alleged against an American citizen, it must be proved beyond a reasonable doubt; but when a helpless soldier, who has been shot in battle, not once but several times, and is so disabled that he must be taken care of, that he can not help himself—when such a man is required to prove beyond reasonable doubt that his present disability is the result of gunshot wounds—if that is a true history of this case, I denounce such a decision.

Mr. NORTON of Ohio. Mr. Chairman, I am more than pleased by the remarks of my distinguished colleague from Ohio [Mr. GROSVENOR] who has just taken his seat. This raises the question that I have long sought to raise here on the floor of the House in connection with pension matters.

The law relating to the granting of original pensions requires certain things to be done, that certain proofs shall be presented or furnished on the part of the applicant. The distinction between the case of men who make application for pension, and the law as applied, is a distinction made by the Commissioner of Pensions, not only with reference to wounds, but also in regard to diseases. If, for instance, a man applies for a pension because of heart disease contracted while in the service, he is compelled under the rules of the Pension Office to prove by two witnesses, privates, or by one commissioned officer, the date of the incurrence of the disease. Now, I hold that the testimony of one private soldier is just as good as the testimony of any commissioned officer in the world.

Again, the requirements of the office force him to prove when, where, and under what circumstances he received the disease, whether heart disease or any other disease, from which he is suffering. I deny, sir, the fact that any man on God's earth is able to define the hour and the place when it can be proven that heart disease or hemorrhoids or most any other disease was contracted. That is not within the province of man to determine, as a rule. Yet your Commissioner of Pensions denies a pension to a soldier, refuses him the benefit even of a doubt, and demands that he must prove beyond all controversy, by the testimony of two of his comrades or one commissioned officer, when, where, and under what circumstances the disease was contracted, or else the pension will be rejected. I say it is an outrage.

Now, here is a case where all the doubts are resolved in favor of the soldier by the committee; and yet your Commissioner of Pensions denies the right of a pension, although this helpless man, crippled, wounded—and this is only an illustration of many similar cases—is denied a pension, where he is compelled day after day to have some one to care for him; where it has been shown that he is unable to care for himself, and yet under the rulings of the Pension Department his pension is refused. His only remedy is to appeal to Congress, for under the ruling of the Department we are deprived of the right to grant him even common justice there.

He comes here and we resolve the doubtful points in his favor; and, Mr. Chairman, I denounce as a flagrant violation of the pension law and a denial of justice—yea, even if I could possibly do so with more eloquence than my colleague from Ohio has done—all such rules and regulations which deny the right of justice and fairness to my wounded comrades or any of the soldiers who served in that great war. [Applause.]

Mr. GIBSON. Mr. Chairman, I wish to put on record in this case, without proceeding further with the discussion, only the facts with reference to the services rendered by this soldier. The records of the War Department show that he received a gunshot wound on the left cheek and neck at the battle of the Wilderness, on the 5th of May, 1864; that he received a severe gunshot fracture of the right arm at the battle of Hatcher's Run, Virginia, in February, 1865, and the proof on file in the Pension Bureau shows that he received a wound of the left hip at the battle of Gettysburg, in July, 1863.

There is the record of a soldier who has been denied relief at the Pension Office.

I ask a vote.

Mr. SIMS. Just a moment. I understood the gentleman from Ohio and the gentleman in charge of the bill to state that the present ruling of the Commissioner was that every case of disability must be proved of service origin beyond reasonable doubt.

Mr. GROSVENOR. I inquired of the chairman of the committee if that was the ruling of the Department, and stated that if it was it was a violation of every principle of law.

Mr. NORTON of Ohio. That is a fact.

Mr. GIBSON. It is the practice in the office and is embodied in the printed rules which have been issued from time to time by the Bureau.

Mr. SIMS. And this is one of the rules of the Pension Bureau?

Mr. GIBSON. Yes; and announced by the Commissioner to the House committee. [Cries of "Vote! Vote!"]

Mr. KING. Mr. Chairman—

The CHAIRMAN. Without objection, the bill will be laid aside with a favorable recommendation.

There was no objection.

JAMES PAUL.

The next business on the Calendar was the bill (H. R. 12350) granting an increase of pension to James Paul.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Paul, late of Company K, Twenty-seventh Regiment New York Volunteer Infantry, and Company G, Twentieth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The Committee on Invalid Pensions recommended the adoption of the following amendment:

Strike out "thirty" and insert "twenty-four," so it will read "at the rate of \$24 per month."

Mr. KING. Mr. Chairman, I do not rise for the purpose of making any extended observations. If I understood the gentleman from Ohio who just addressed the committee, by inference, at least, the administration of the Pension Office was criticised. I frankly confess that I have made but little investigation as to the manner in which it is conducted, but if we are to bestow praise because of the liberal payment of pensions, then the Pension Office is entitled to all that human language can express.

I believe, Mr. Chairman, that the present Commissioner has shown himself to be a friend to the deserving soldier, and seeks, in the administration of his high office, to carry out the provisions of the pension laws. That there is something wrong with our pension system I am firmly convinced. I can not fully understand how it is that, after more than thirty years have elapsed since the great conflict between the North and South terminated, more than 1,000,000 names are upon the pension rolls, and the mighty list is still increasing. By what process has the never-ending list been swelled to such gigantic proportions?

One would think that with the passage of the years those deriving pensions from the civil war would grow less; but, contrary to the natural order of events, the reverse is true. Is it possible that the hour of immortality has arrived?

How is it, Mr. Chairman, that more than 1,000,000 names are upon the pension rolls, not taking into consideration such as have been added as the result of the Spanish war?

We will pay for pensions this year more than \$150,000,000, and yet some persons charge that the Government is niggardly in caring for its defenders. President Garfield stated that when the cost to the Government for pensions reached \$28,000,000 per annum, the summit would be attained and recession would set in.

But the tide has rushed on; it has mounted higher and higher. The one-hundred-million mark has been passed, and fifty million more have been added, and still its course is unchecked. When is the end to be? Can anyone promise us that the wave will ever recede? I have heard members admit that within a few years this country will be paying one hundred and eighty millions per annum for pensions.

Mr. Chairman, I am in favor of a fair and just pension system; but I can not believe that if such a system were administered, we would be burdened with this tremendous annual expenditure. There must be a mighty host who are undeserving and unworthy. Like harpies they prey upon the Government. Is it not possible that their unfounded claims displace just and worthy ones? With such liberal pension laws we ought not to be required to consider special and private pension bills in this body. Pension laws should be general and of such a character that every deserving claimant could secure fair and proper consideration.

The time of members of this House is consumed in investigating matters which belong entirely to boards and bureaus.

Mr. Chairman, it seems to me that something is radically defective. I know that the duties of members are largely increased by reason of the pension matters devolved upon them. Much of their time is occupied in visiting the Pension Department and endeavoring to secure increases in pensions or original pensions.

We have a Pension Department—laws that take from the Treasury the staggering sum of one hundred and fifty millions annually, and yet worthy claimants are unprovided for and Representatives are converted into pension attorneys.

And, Mr. Chairman, that is not the end. We have just passed a bill fastening a standing army of one hundred thousand upon

the American people. For what purpose? It is claimed that we need soldiers to fight the Filipinos. We send our soldiers to an inhospitable clime, where disease and sickness soon overtake them. By death their ranks are being depleted; and those who are fortunate enough to return to their homes find their systems wrecked and their health shattered.

I am told that more than 50 per cent of our soldiers who serve in the Orient will become just claimants for pensions at the hands of the Government. Why, Mr. Chairman, I believe we pay more now for pensions than is paid by Germany and France combined in the maintenance of their armies.

It should be a matter of grave concern to all who love this country when they see the startling figures chronicling the cost of our Army, Navy, and Pension Departments for the current year. I have not carefully examined the figures, but I believe that these items will take from the Treasury of the United States more than \$400,000,000. Where are the guardians of the people and the protectors of the Treasury?

But there is another consideration above and beyond that involved in figures. There is a heedless, uncontrollable, irrational, unpatriotic, demoralizing spirit among the people which finds expression in the proceedings of this body.

The landmarks established by our fathers no longer guide our footsteps. Extravagance, paternalism, a wild and frenzied jingoism—these are the impulses which guide as we embark upon the tempestuous sea of the new century.

Is it not time, before irretrievable disaster overtakes us, to turn from the alluring paths of destruction and plant ourselves upon the rock of national safety?

The CHAIRMAN. The question is upon the amendments proposed by the committee.

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JACOB E. SWAP.

The next business was the bill (H. R. 12301) granting an increase of pension to Jacob E. Swap.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jacob E. Swap, late of Company H, Eighty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The following amendment, recommended by the Committee on Invalid Pensions, was read:

In line 8 strike out "fifty" and insert "forty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

GIDEON JOHNSON.

The next business was the bill (H. R. 12249) granting an increase of pension to Gideon Johnson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Gideon Johnson, late of Company K, Sixty-sixth Indiana Volunteer Infantry, war of the rebellion, and pay him a pension at the rate of \$72 per month in lieu of that he is now receiving.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 6, before the word "Indiana," insert the word "Regiment."

In line 7 strike out the words "war of the rebellion."

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "forty."

Mr. OVERSTREET. Mr. Chairman, I offer to amend the amendment proposed by the committee by striking out "forty," in line 8, and inserting in lieu thereof the word "fifty."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out of the proposed committee amendment the word "forty" and insert "fifty."

Mr. OVERSTREET. Mr. Chairman, this soldier served between two and a half and three years. Through the regular channel of law before the Pension Bureau he prosecuted his claim for pension, and is to-day drawing \$30 per month for service disabilities. Among the disabilities charged was that of blindness, and the Pension Bureau has refused to recognize that the blindness was of service origin. This man is to-day blind, is 71 years of age, and, according to the proof before this committee, has no means of livelihood other than his pension. There is an honest doubt as to whether the blindness from which he now suffers is of service origin. If there were no such doubt, he would be entitled under the law to \$72 per month.

He rendered over two years and a half of Army service. His brother was a veteran of the Mexican war. His father served in the war of 1812, and his grandfather was a Revolutionary soldier.

I do not say that the service of his family ought to have any material weight in the determination of this question, but I merely mention it as an evidence of the patriotism and loyalty of the family. Not only was his grandfather a Revolutionary soldier, his father a soldier in the war of 1812, his brother in the Mexican war; not only did he render two years and a half and more in the civil war, but his son is to-day in the Army, fighting in the Philippines.

This soldier is now totally blind according to the evidence before the Pensions Committee, and under the rule announced in cases of doubt they recommend such a pension as seems commensurate with the disability, consistent with the lack of proof of the service origin of such disability.

The committee has recommended \$40, and I merely ask that it be increased to \$50. I trust that the committee will recognize the justice of the claim of this amendment I propose.

Mr. GAINES. Mr. Chairman, before the gentleman resumes his seat, I want to ask him what the committee recommends?

Mr. OVERSTREET. Forty dollars. The bill as introduced was for \$72. The committee recommends \$40; and I ask to amend that by making it \$50.

Mr. GAINES. Was not the matter thoroughly sifted before the committee and by the committee?

Mr. OVERSTREET. I do not know. I merely have the statement of one representative of it, that they thought, in view of the large number of bills, they could not grant as large increase in a number of cases as they would like.

Mr. GAINES. That is exactly what the committee said to me in the case of an old Mexican soldier, one-eyed, and about 79 years of age, and they gave him \$12.

Mr. OVERSTREET. Each case must stand on its own footing. Perhaps the gentleman's case should have been increased more.

Mr. GAINES. They only increased it \$3.

Mr. KING. What is he getting now?

Mr. GAINES. Twelve dollars. He is getting \$9, and they increase it to \$12.

Mr. KING. Is he blind?

Mr. GAINES. He is hardly able to do any work.

Mr. OVERSTREET. I do not question the fact; but the gentleman knows that is not an argument against this proposition.

Mr. GAINES. Mr. Chairman, the reason why the committee has not granted the relief the gentleman has asked for in this bill is, by his own confession, that it can not be proved that the present condition of this party's eyes was superinduced by exposure during the war.

Mr. OVERSTREET. There is no question about that. If there was not, he would not be here, and he no doubt would be getting \$72.

Mr. GAINES. They have already raised it time and again. They rated him at first at \$17 for rheumatism and rheumatic heart; next, \$17 for diarrhea, piles, and diseases of rectum, and next, \$6 for disease of left ear and partial deafness, and finally, \$17 for disease of eyes and impaired vision. From time to time his pension has thus and for these reasons been increased; and although he has been pensioned, it seems, for a long time and has had all the science the Pension Department could bring to bear and his local physicians, the gentleman has failed to satisfy the Pension Committee, who are experts in this matter, from their very large experience, that his present eye trouble was brought upon him by his Army service.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. GAINES. I have not concluded. I trust I may be permitted to say a few words.

The CHAIRMAN. The Chair understood the gentleman from Tennessee was interrogating the gentleman from Indiana.

Mr. GIBSON. I will yield three, four, or five minutes to my colleague.

Mr. GAINES. I just want to make a few observations.

Mr. Chairman, this party started in 1886 with a pension of \$12.75 per month. Now notice. The war has been closed since 1865, and not until 1886 did this party apply for a pension, and yet he goes back—

Mr. OVERSTREET. Will the gentleman permit a question?

Mr. GAINES. Yes.

Mr. OVERSTREET. Suppose the gentleman had abundance of means for support during those years?

Mr. GAINES. Do you not say this man is practically a pauper?

Mr. OVERSTREET. He is now. There was a period, however, when he did not ask aid from anybody. It is only because he is driven to it from poverty that he now asks it.

Mr. GAINES. I was about to observe, Mr. Chairman, that not until 1886 did he ask for a pension. Now, then, at that time there was nothing to show that he had received any injury from his exposure except rheumatism, and that is shown thirty-five or forty years after the war is over.

Now from time to time, as I have shown, his pension has been

increased. Then he comes with diarrhea and piles and heart trouble, and each time he has added to his complaint a new trouble, until now they have put it to \$30, and I believe the committee have reported it for \$40, and the gentleman who introduces this bill asks them now to give him \$50.

Mr. Chairman, it is impossible for the members of this House to investigate these pension matters as they come up here, and we have to accept the statements of the committee, except where it seems to be well founded that a mistake is made in these matters. So that if we are not going to take the judgment of the committee and take the simple statements of the gentleman from Indiana, however sincere—and I doubt not his sincerity—we had just as well do without the committee and bring this Niagara of pensions and pass on them ourselves from top to bottom rather than be constantly reversing the judgment of the committee, who have all the proof before them and who upon that proof base their findings and report.

Mr. GIBSON. Mr. Chairman, I shall take advantage of this case to call the special attention of the committee to the fact that in this Congress there never has been any complaint that the Committee on Invalid Pensions has rated any case too high. I want to call attention to that fact, not in this case in particular, but in all cases, in order to impress it if possible on the country that we are very conservative in all our ratings—extremely conservative. I will say to the gentleman from Indiana that I do not wish to antagonize his proposition, but I want the House to know that when we rate a man we do not go to extremes, and if anything is done in the committee it is always to increase, never to decrease.

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Indiana.

The question was taken; and the amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 428. An act to amend the law establishing a port of delivery at Des Moines, Iowa;

H. R. 4910. An act to establish a lobster hatchery in the State of Maine;

H. R. 4728. An act providing for leaves of absence to certain employees of the Government.

The message also announced that the Senate had passed the following resolutions, in which the concurrence of the House is requested:

Senate concurrent resolution 96.

Resolved by the Senate (the House of Representatives concurring). That the Secretary of War be directed to transmit to the Senate an estimate of the cost of removing the obstructions at the mouth of Brunswick River, North Carolina.

Also:

Resolved. That the Secretary be directed to furnish the House of Representatives, in compliance with its request, a duplicate engrossed copy of the joint resolution (S. R. 60) granting permission for the erection of a bronze statue in Washington, D. C., in honor of Gen. Francis E. Spinner, late Treasurer of the United States.

Also:

Resolved. That the Secretary be directed to furnish the House of Representatives, in compliance with its request, a duplicate engrossed copy of concurrent resolution No. 87, relating to the electoral vote.

Also:

In compliance with Senate concurrent resolution No. 93, the President pro tempore appointed Mr. LINDSAY and Mr. HOAR as the committee on the part of the Senate to arrange the exercises commemorative of the one hundredth anniversary of the day when John Marshall became the Chief Justice of the Supreme Court of the United States.

ANDREW J. HARBISON.

The committee resumed its session.

The next business on the Private Calendar was the bill (H. R. 12297) granting an increase of pension to Andrew J. Harbison.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew J. Harbison, late of Company B, Ninth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

Mr. KING. Mr. Chairman, I would like to have the report read.

The Clerk read the report (by Mr. MIERS of Indiana), as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 12297) granting an increase of pension to Andrew J. Harbison, submit the following report:

This soldier, now 71 years of age, is shown by the records of the War Department to have served as a private in Company B, Ninth Missouri State Militia Cavalry, from January 20, 1862, to April 4, 1863, when he was honorably discharged. He is now a pensioner under the act of June 27, 1890, at \$8 per month, applications for increase having been rejected in 1895, March,

1899, and May 31, 1900, and the rating of \$8 per month being based upon partial inability to earn a support by manual labor by reason of disease of liver and spleen; and the last certificate of medical examination in the case, made December 20, 1899, rated him \$8 for enlargement of the liver, \$4 for disease of spleen, and \$10 for deafness, and also stated that he had lost his teeth.

The honorable Mr. BENTON, who introduced the bill, appeared before this committee and stated that the beneficiary is now suffering from nervousness and general debility; that he left the United States service on April 4, 1863, having been elected to the office of state attorney in the second judicial district of Missouri under Governor Gamble, his discharge on that account having been asked for by Colonel Guiteau; that thereafter, while not in the regular military service of the United States, he was, however, major of a regiment of Enrolled Missouri Militia, which militia, as is well known, protected the State of Missouri from guerrillas and other enemies, operating in conjunction, however, with the United States forces.

Taking into consideration the soldier's service, his age, physical condition, and destitution, your committee believes that some relief at the hands of Congress is justified, and reports the bill back with the recommendation that it pass after the same shall have been amended as follows:

In line 7, after the word "Missouri," insert the words "State Militia."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty."

The amendments reported by the committee were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

PATRICK CONNELLY.

The next business on the Private Calendar was the bill (H. R. 12190) to place on the pension roll the name of Patrick Connelly. The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll the name of Patrick Connelly, late private in Company B, Twenty-fourth Massachusetts Infantry, during the war of the rebellion, and pay him a pension subject to the provisions and limitations of the pension laws.

The following amendments were recommended by the committee:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Patrick Connelly, late of Company B, Twenty-fourth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Patrick Connelly."

Mr. KING. Mr. Chairman, I ask for the reading of the report.
Mr. GIBSON. I hope the gentleman from Utah will not call for the reading of these reports. This soldier is 62 years old, and served from the 18th of September, 1861, to January 20, 1866, five years, a most extraordinary record of service. His disability is very great, and the bill only gives him \$30 a month, only an increase of \$6 from what he is now getting from the Pension Bureau.

Mr. KING. Does the record show that he was wounded and that his disabilities are the result of service origin?

Mr. GIBSON. Yes.

Mr. FITZGERALD of Massachusetts. Mr. Chairman, I am well acquainted with this man and the circumstances of his case, and I hope the gentleman from Utah will withdraw his objection, because I consider it a very meritorious case.

Mr. KING. I will withdraw my request for the reading of the report, Mr. Chairman.

The amendments reported by the committee were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

EDWARD HANSE.

The next business on the Private Calendar was the bill (H. R. 11806) granting a pension to Edward Hanse.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward Hanse, late of Company K, Sixty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$40 per month.

The amendments reported by the committee are as follows:

In line 6 strike out the word "Hanse" and insert in lieu thereof the word "Hause."

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

And in the same line, after the word "month," insert the following: "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Edward Hause."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

JOHNSON H. FITZPATRICK.

The next business on the Private Calendar was the bill (H. R. 11312) granting an increase of pension to Johnson H. Fitzpatrick.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Johnson H. Fitzpatrick, late member of Company K, Fifty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of any pension he may now be receiving.

The amendments recommended by the committee were as follows:

In line 6 strike out the word "member."

In line 8 strike out the word "twenty" and insert in lieu thereof the word "seventeen."

Strike out all of line 9 and insert in lieu thereof the following: "that he is now receiving."

The committee amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

ALEXANDER F. HARTFORD.

The next business on the Private Calendar was the bill (H. R. 8998) granting an increase of pension to Alexander F. Hartford.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alexander F. Hartford, late of Company C, One hundred and fortieth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was as follows:

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "seventeen."

The amendment was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

JAMES W. BODEN.

The next business on the Private Calendar was the bill (H. R. 4672) granting a pension to James W. Boden.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James W. Boden, late of Company G, Twenty-third Massachusetts Volunteers, and pay him a pension of \$24 per month in lieu of the pension he is now receiving.

The amendment reported by the committee was as follows:

Strike out all of lines 7, 8, and 9 and insert in lieu thereof the following: "Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$12 per month."

The amendment was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

JOHN D. ALLEN.

The next business on the Private Calendar was the bill (H. R. 4078) granting a pension to John D. Allen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of John D. Allen, late private in Company H, Seventy-first Indiana Volunteers, and to grant him a pension of \$24 per month.

The amendments recommended by the committee were as follows:

In line 4 strike out all after the word "roll" and all of lines 5, 6, and 7 and insert in lieu thereof the following: "Subject to the provisions and limitations of the pension laws, the name of John D. Allen, late of Company H, Sixth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to John D. Allen."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

BURDETTE N. CLEVELAND.

The next business on the Private Calendar was the bill (H. R. 3945) granting an increase of pension to Burdette N. Cleveland, of Fremont, in the State of Nebraska.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Burdette N. Cleveland, late a member of Company C, One hundred and eleventh Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of the pension he is now receiving.

The following amendments were recommended by the committee:

Strike out all after the enacting clause and insert the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Burdette N. Cleveland, late of Company C, One hundred and eleventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving."

Amend title so as to read: "A bill granting an increase of pension to Burdette N. Cleveland."

Mr. KING. Mr. Chairman, I should like to hear some statement of this case from the chairman of the committee. What is the record with respect to this matter?

Mr. GIBSON. This man served in the One hundred and eleventh Ohio Infantry from 1862 to June, 1865. His service was meritorious, and his disability, in the opinion of the committee, was such that he ought to receive more than \$12. He is pensioned under what we call the June act, and that pension is limited to

§12. The Pension Bureau was of the opinion that his disabilities were not of service origin, but the committee was of the opinion that they were. We gave him the benefit of our opinion and increased the pension accordingly.

Mr. KING. Were his wounds of a serious character?

Mr. GIBSON. They are. If they had been of service origin the pension would have been larger. Our rule is not to give a man—

Mr. ROBINSON of Nebraska. Mr. Chairman, I will ask the gentleman from Utah to withdraw his objection.

Mr. KING. I made no objection. I simply asked for an explanation.

The committee amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

HIRAM STIMPLE.

The next business was the bill (H. R. 3466) for the relief of Hiram Stimple.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll of the United States, subject to the provisions and limitations of the pension laws, the name of Hiram Stimple, imbecile child of Luther J. Stimple, late of Company E, Fourth Regiment Pennsylvania Cavalry Volunteers, and to pay him a pension at the rate of \$12 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hiram Stimple, the dependent and helpless son of Luther J. Stimple, late of Company E, Fourth Regiment Pennsylvania Cavalry, and pay him a pension at the rate of \$12 per month."

Amend title so as to read: "A bill granting a pension to Hiram Stimple."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

DANIEL W. SHAW.

The next business was the bill (H. R. 601) granting an increase of pension to Daniel W. Shaw.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel W. Shaw, late a private in F Company, First Maine Cavalry, and to pay him a pension at the rate of — dollars per month, to commence from the passage of this act, and to be in lieu of the pension he is now receiving.

The following amendment, recommended by the Committee on Invalid Pensions, was read:

In line 6 strike out all after the word "late," and all of lines 7, 8, and 9, and insert in lieu thereof the following: "of Company F, First Regiment Maine Volunteer Cavalry, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving."

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

FRANK F. CARNDUFF.

The next business was the bill (H. R. 551) granting an increase of pension to Frank F. Carnduff.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frank F. Carnduff, late a corporal in Company M, Seventh Regiment of New York Heavy Artillery Volunteers, at the rate of \$30 per month in lieu of the pension which he is now receiving.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 6 strike out all after the word "Carnduff." Strike out all of lines 7, 8, and 9 and insert in lieu thereof the following: "late of Company M, Seventh Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JAMES M. CAMPBELL.

The next business was the bill (H. R. 12391) granting an increase of pension to James M. Campbell.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws of the United States, the name of James M. Campbell, late a member of Company D, Thirty-ninth Regiment of Iowa Volunteer Infantry, and pay him a pension of \$30 per month in lieu of that he is now receiving.

The following amendment, recommended by the Committee on Invalid Pensions, was read:

Strike out all after the word "place," in line 4, and all of lines 5, 6, 7, 8, and 9 and insert in lieu thereof the following: "on the pension roll, subject to the

provisions and limitations of the pension laws, the name of James M. Campbell, late of Company D, Thirty-ninth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving."

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

F. W. BAKER.

The next business was the bill (S. 1278) granting an increase of pension to F. W. Baker.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of F. W. Baker, late of Company I, Tenth Regiment Tennessee Cavalry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

ELI F. CHITTENDEN.

The next business was the bill (S. 2161) granting a pension to Eli F. Chittenden.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eli F. Chittenden, late of Company B, Fourteenth Illinois Infantry, at the rate of \$50 per month in lieu of that he is now receiving.

Mr. KING. I ask the chairman of the committee to state the reason for this apparently very large pension.

Mr. GIBSON. In the first place, this claimant served from May, 1861, to March, 1863. He is now very deaf and totally blind, and is suffering various other disabilities. He is in such a condition that if the Pension Bureau were satisfied that his blindness was the result of Army service they would give him \$72 a month. The committee, acting on what they considered satisfactory proof that his blindness is of Army origin, have given him \$50 a month. He is not only totally blind, but suffering from other severe diseases.

The bill was laid aside to be reported to the House with a favorable recommendation.

EUGENE M. HAWES.

The next business was the bill (H. R. 12063) granting an increase of pension to Eugene M. Hawes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eugene M. Hawes, late of Company D, Eleventh Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

EDWIN G. FAY.

The next business was the bill (H. R. 8658) granting an increase of pension to Edwin G. Fay, late lieutenant, Company C, One hundred and seventh New York Volunteer Infantry.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edwin G. Fay, late lieutenant of Company C, One hundred and seventh New York Volunteer Infantry, and pay him a pension at the rate of \$52 per month in lieu of that he is now receiving.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 7, before the words "New York," insert the word "Regiment." In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "thirty." Amend the title so as to read: "A bill granting an increase of pension to Edwin G. Fay."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARY J. CONNERY.

The next business was the bill (H. R. 1566) for the benefit of Mary J. Connery, of Falmouth, Ky.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Mary J. Connery, widow of William T. Connery, of Company B, Fortieth Kentucky Infantry, at the rate of \$12 per month, said pension to date from the passage of this act.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Strike out all after the word "roll," in line 4, and all of lines 5, 6, 7, and 8, and insert in lieu thereof the following: "subject to the provisions and limitations of the pension laws, the name of Mary J. Connery, widow of William T. Connery, late of Company B, Fortieth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$8 per month: *Provided, however, That such pension shall cease upon proof that said William T. Connery is still living.*"

Amend the title so as to read: "A bill granting a pension to Mary J. Connery."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

EDWARD WARNER.

The next business was the bill (H. R. 12516) granting an increase of pension to Edward Warner.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward Warner, late a private in the Signal Corps, United States Army, and pay him a pension at the rate of \$72 per month in lieu of that he is now receiving.

The following amendment, recommended by the Committee on Invalid Pensions, was read:

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "forty."

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

BELA SAWYER.

The next business was the bill (H. R. 11836) granting an increase of pension to Bela Sawyer.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Bela Sawyer, late of Company A, Sixteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The following amendment, recommended by the Committee on Invalid Pensions, was read:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MAURICE FITZGERALD.

The next business was the bill (H. R. 8525) to increase the pension of Maurice Fitzgerald.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place the name of Maurice Fitzgerald, late of Company I, Twenty-third Iowa Infantry, upon the pension roll at the rate of \$15 per month in lieu of the pension he is now receiving.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Maurice Fitzgerald, late of Company I, Twenty-third Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$15 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Maurice Fitzgerald."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ELLIS P. PHIPPS.

The next business was the bill (S. 1978) granting an increase of pension to Ellis P. Phipps.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ellis P. Phipps, late second and first lieutenant Company A, Twelfth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of \$90 per month in lieu of that he is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

GUSTAV RIENECKER.

The next business was the bill (H. R. 6921) granting an increase of pension to Gustav Reinecker, of Alexandria, Va.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, instructed and directed to place on the pension roll the name of Gustav Reinecker, late second lieutenant Company C, Fifth Pennsylvania Volunteer Cavalry, at the rate of \$90 per month in lieu of any pension he may now be receiving.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Gustav Reinecker, late of Company D, Fifth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$90 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Gustav Reinecker."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ELLIOTT LOOMIS.

The next business was the bill (H. R. 6914) granting a pension to Elliott Loomis, of Gibbon, in the State of Nebraska.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Elliott Loomis, of Gibbon, in the State of Nebraska, late a member of Company F, Second Iowa Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of the pension he is now receiving.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4 strike out the word "upon" and insert in lieu thereof the word "on."

In line 6 strike out the words "of Gibbon, in the State of Nebraska, late a."

In line 7 strike out the word "member" and insert in lieu thereof the word "late;" in the same line, before the word "Iowa," insert the word "Regiment."

In line 9 strike out the words "the pension" and insert in lieu thereof the word "that."

Amend the title so as to read: "A bill granting an increase of pension to Elliott Loomis."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

GEORGE W. COX.

The next business was the bill (H. R. 6319) granting a pension to George W. Cox, of Horton, Iowa.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to put upon the pension roll the name of George W. Cox, of Horton, Iowa, late corporal in Company I, One hundred and eighth Regiment of Illinois Infantry Volunteers, at the rate of \$25 per month; this sum to be in lieu of the pension that he is now receiving.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4 strike out all after the word "to" and all of lines 5, 6, 7, and 8 and insert in lieu thereof the following: "place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Cox, alias John Smith, late of Company I, One hundred and eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to George W. Cox, alias John Smith."

Mr. TALBERT. Mr. Chairman, I see that this applicant has two names. I would like to ask the chairman of the committee how it comes about? I see he has an alias.

Mr. GIBSON. I will state, in response to the gentleman from South Carolina, Mr. Chairman, that this man served twice in the Army. The first time he served as George W. Cox, from December 27, 1861, to June 10, 1863. He was then discharged honorably from the service. What reason he had for changing his name I do not know; but so it was. He enlisted again in the One hundred and eighth Illinois Infantry under the name of John Smith, and served from August 8, 1863, to August 5, 1865. The man has had over four years of service, and I think a man who has served four years in the Army ought to be entitled to four names with pensions if he wants them.

Mr. TALBERT. Then let us amend it by giving him two more names. [Laughter.]

The question being taken, the amendments of the committee were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

ALVIN N. SABIN.

The next business was the bill (S. 2202) granting an increase of pension to Alvin N. Sabin.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alvin N. Sabin, late first lieutenant Company K, and captain Company C, Fifth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

Mr. KING. Mr. Chairman, I ask for the reading of the report in that case.

The CHAIRMAN. The report will be read in the time of the gentleman from Utah.

Mr. GIBSON. I will state, if the gentleman will permit me—

Mr. KING. I would prefer to have the report read.

Mr. GIBSON. I wish to say that this is a Senate bill, and is accompanied by a very lengthy report.

Mr. KING. How many pages?

Mr. GIBSON. Two pages of fine print.

Mr. CORLISS. If the gentleman will permit me, I think I can enlighten him as to the bill.

Mr. KING. I withdraw the demand temporarily.

Mr. CORLISS. Major Sabin served loyally in the Army, was

wounded, is paralyzed, and is confined to his bed. For certain reasons, which I need not explain, he could not get an adequate pension. I think he now draws \$20 a month. I do not remember the exact amount. It is entirely inadequate. He can not live more than a year or two, and he requires an attendant day and night. The case is a very worthy one.

Mr. KING. Are his disabilities at all traceable to his service in the Army?

Mr. CORLISS. Absolutely.

Mr. KING. I withdraw the request for the reading of the report.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

BENONI A. M'CONNELL.

The next business was the bill (H. R. 6145) granting a pension to Benoni A. McConnell.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Benoni A. McConnell, late of Company E, One hundredth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4 strike out the word "upon" and insert in lieu thereof the word "on."

In the same line, after the word "roll," insert the following: "subject to the provisions and limitations of the pension laws."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JULIA A. PROUTY.

The next business was the bill (H. R. 5303) granting a pension to Julia A. Prouty, late an Army nurse.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Julia A. Prouty, late an Army nurse, and pay her a pension at the rate of \$30 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4 strike out all after the word "roll" and all of lines 5 and 6 and insert in lieu thereof the following: "subject to the provisions and limitations of the pension laws, the name of Julia A. Prouty, late a nurse in the Medical Department, United States Volunteers, and pay her a pension at the rate of \$12 per month."

Amend the title so as to read: "A bill granting a pension to Julia A. Prouty."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ELLEN QUINN.

The next business was the bill (H. R. 4906) granting a pension to Mrs. Ellen Quinn.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Ellen Quinn, formerly Logan, who served as a nurse in hospital during the late war of the rebellion, and pay her a pension at the rate of \$12 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ellen Quinn, formerly Ellen Logan, late a nurse in the Medical Department, United States Volunteers, and pay her a pension at the rate of \$12 per month."

Amend the title so as to read: "A bill granting a pension to Ellen Quinn."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ANDREW J. WEST.

The next business was the bill (H. R. 12490) granting an increase of pension to Andrew J. West.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to pay Andrew J. West, late a private in Company D, Second Regiment Colorado Cavalry, a pension at the rate of \$50 per month in lieu of the pension he is now receiving.

The following amendment, recommended by the Committee on Invalid Pensions, was read:

In line 4 strike out all after the word "to," and all of lines 5, 6, and 7, and insert in lieu thereof the following: "place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew J. West, late of Company D, Second Regiment Colorado Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving."

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

WILLIAM E. FERREE.

The next business was the bill (S. 2913) granting an increase of pension to William E. Ferree.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William E. Ferree, late of Company M, Fourth Regiment Iowa Cavalry Volunteers, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

CATHERINE T. HOWELL.

The next business was the bill (H. R. 12411) granting a pension to Catherine T. Howell.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Catherine T. Howell, widow of Henry C. Howell, late first lieutenant in Company G, One hundred and twenty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The following amendment, recommended by the Committee on Invalid Pensions, was read:

In line 7 strike out the word "in" and insert in lieu thereof the word "of."

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

PERRY C. JEFFREY.

The next business was the bill (H. R. 11507) granting a pension to Perry C. Jeffery.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Perry C. Jeffery, late of Company B, Ninth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$12 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "of Perry C. Jeffery, late of Company B, Ninth Regiment Missouri State Militia Volunteer Cavalry, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Perry C. Jeffery."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

SARAH HASTINGS.

The next business was the bill (H. R. 9536) to pension Sarah Carter, now Sarah Hastings.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Sarah Carter, now Sarah Hastings, late an Army nurse in the war of the rebellion, subject to the provisions and limitations of the pension laws, and pay her a pension of \$12 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4 strike out all after the word "roll" and all of lines 5, 6, 7, and 8 and insert in lieu thereof the following: "subject to the provisions and limitations of the pension laws, the name of Sarah Hastings, formerly Sarah Carter, late a nurse in the Medical Department, United States Volunteers, and pay her a pension at the rate of \$12 per month."

Amend the title so as to read: "A bill granting a pension to Sarah Hastings, formerly Sarah Carter."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

EVA K. NYBERG.

The next business was the bill (H. R. 9182) to pension Eva K. Nyberg.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place upon the pension roll the name of Eva K. Nyberg, widow of Henry S. Nyberg, formerly a private in Company D, Tenth Regiment Missouri Cavalry Volunteers, and pay her a pension at the rate allowed by law to widows of soldiers.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eva K. Nyberg, widow of Henry S. Nyberg, late of Company D, Tenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of \$8 per month."

Amend the title so as to read: "A bill granting a pension to Eva K. Nyberg."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ALMIRA A. SCOTT.

The next business was the bill (H. R. 9914) granting a pension to Almira A. Scott.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Almira A. Scott, widow of Jefferson Scott, late of Company A, First Regiment United States Infantry, Mexican war, and pay her a pension at the rate of \$8 per month.

The bill was ordered to be laid aside with a favorable recommendation.

JOEL BOWLING.

The next business was the bill (S. 4276) granting an increase of pension to Joel Bowling.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joel Bowling, late of Captain Hembree's company, Tennessee Volunteers, Cherokee war, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN HUTCHENS.

The next business was the bill (S. 3941) granting an increase of pension to John Hutchens.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Hutchens, late of Captain Baker's company, Second Regiment Georgia Mounted Volunteers, Florida Indian war, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The following amendment, recommended by the committee, was read:

In line 8 strike out the word "twenty" and insert the word "twelve."

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

PINNIE L. CARR.

The next business was the bill (S. 2776) granting an increase of pension to Pinnie L. Carr.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension rolls, subject to the provisions and limitations of the pension laws, the name of Pinnie L. Carr, widow of George W. Carr, late second lieutenant, United States Voltigeurs, war with Mexico, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

THOMAS L. TURNIPSEED.

The next business was the bill (S. 4086) granting an increase of pension to Thomas L. Turnipseed.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas L. Turnipseed, late of Capt. B. T. Elmore's company, South Carolina Volunteers, Florida Indian war, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SAYER JENSEN.

The next business was the bill (S. 56) granting a pension to Sayer Jensen.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sayer Jensen, late of Company G, First Regiment South Dakota Volunteer Infantry, war with Spain, and pay him a pension at the rate of \$20 per month.

The bill was ordered to be laid aside with a favorable recommendation.

RACHEL FRISBEY.

The next business was the bill (S. 1052) granting an increase of pension to Rachel Frisbey.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rachel Frisbey, widow of Eley Frisbey, late of Company K, First Regiment North Carolina Volunteers, war with Mexico, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CATHERINE A. YOUNG.

The next business was the bill (S. 352) granting an increase of pension to Catherine A. Young.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Catherine A. Young, widow of John L. Young, late of Captain Preston's company, First Regiment Virginia Volunteers, war with Mexico, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The following amendment, recommended by the committee, was read:

In line 9 strike out the word "twenty" and insert "twelve."

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JACOB L. HANGER.

The next business was the bill (H. R. 2430) for the relief of Jacob L. Hanger, alias William T. Graham.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion standing against Jacob L. Hanger, alias William T. Graham, late of Company C, Thirtieth Ohio Infantry, and Company F, Second Ohio Heavy Artillery Volunteers, and issue to him an honorable discharge.

The following amendment, recommended by the committee, was read:

Insert at the end of line 8 the following proviso: "Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

Mr. TALBERT. Mr. Chairman, I ask unanimous consent that that bill be laid aside without prejudice.

Mr. SUTHERLAND. Before that request is granted let me make a simple statement.

The CHAIRMAN. The gentleman from South Carolina asks that the bill be laid aside without prejudice.

Mr. SUTHERLAND. I am sure the gentleman will not object after I have made a statement.

Mr. TALBERT. I withdraw my motion until I hear the gentleman.

Mr. SUTHERLAND. Mr. Chairman, this soldier enlisted in 1861 and served more than one year. Then he became involved in some trouble with his captain. His captain ordered him to be bucked and gagged for some imaginary offense, and he and another soldier left his company and were gone ten months. Then they went back and enlisted in another company and regiment and served until 1865, two and a half years, and he was in several battles. I hope the gentleman will withdraw his objection.

Mr. TALBERT. I withdraw it.

Mr. KING. Is this a foundation for a claim for pension?

The amendment recommended by the committee was agreed to. The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES F. KRAMER.

The next business on the Private Calendar was the bill (H. R. 11828) to remove the charge of desertion from the military record of Charles F. Kramer.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion from the military record of Charles F. Kramer, late of Company G, Sixty-seventh Regiment Pennsylvania Volunteer Infantry, and to grant him an honorable discharge as of the 29th day of December, 1862: *Provided,* That no pay or allowances shall become due or payable by reason of the passage of this act.

Mr. KING. Mr. Chairman, I ask that this bill be laid aside without prejudice.

The CHAIRMAN. The gentleman from Utah asks that the bill be laid aside without prejudice. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

FRANK W. PAIGE.

The next business on the Private Calendar was the bill (H. R. 5121) granting an increase of pension to Frank W. Paige.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frank W. Paige, late of Company I, Fifth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$45 per month in lieu of the pension he is now receiving.

Mr. GIBSON. Mr. Chairman, this claimant has died since the bill was reported, and I ask that the bill be reported to the House with the recommendation that it lie on the table.

The motion was agreed to.

SARAH B. SCHAEFFER.

The next business on the Private Calendar was the bill (H. R. 12577) granting a pension to Sarah B. Schaeffer.

The Clerk began the reading of the bill.

Mr. MIERS of Indiana. Mr. Chairman, I would like to know why the bill H. R. 5931, Calendar No., 1451, for the relief of Thomas F. McCalla, was passed over?

The CHAIRMAN. The Chair is not certain whether that bill

comes under the rule or not until the bill has been read. The Clerk will read the bill.

The Clerk read the bill at length.

The CHAIRMAN. The Chair will state that the bill has been passed because it is of that class of bills which does not come within the rule for this day.

Mr. MIERS of Indiana. Upon what Calendar would it belong? Certainly, Mr. Chairman, if you may remove a charge of desertion—

The CHAIRMAN. The Chair will state that the rule under which the House is now acting provides for the consideration of those bills which come from the Invalid Pensions and for desertion. This case not having been scheduled under the classification of desertions has been passed by.

Mr. MIERS of Indiana. It seems to me, Mr. Chairman, surely, that this is along the same line with the charge of desertion. If a man has been charged with desertion, that is one thing, but in this case he was charged not only with desertion, but he was dishonorably discharged. Now, the record shows in this case that he was not in fact a deserter, nor was the charge that he had abandoned his company in the face of the enemy true. Surely, if you may remove a charge of desertion against a man who has not actually deserted, when you accuse him of desertion and dishonorably discharge him at the same time you ought to be able to cure that as well as the charge of desertion. In other words, if you can cure a man of smallpox you certainly ought to cure him of varioloid.

The CHAIRMAN. The gentleman from Indiana is aware that the Chair has no disposition to shut out any case.

Mr. MIERS of Indiana. Certainly not. I was trying to convince the Chair that this should come under the rule.

The CHAIRMAN. It has been ruled on many occasions that this day should be given over to a certain special class of cases. The Chair will read the second section of Rule XXVI, which is as follows:

2. The House shall on each Friday at 5 o'clock p. m. take a recess until 8 o'clock, at which evening session private pension bills, bills for the removal of political disabilities, and bills removing charges of desertion only shall be considered; said evening session not to extend beyond 10 o'clock and 30 minutes.

Mr. MIERS of Indiana. Is not this for the removal of a political disability?

The CHAIRMAN. It can not be considered as a political disability.

Mr. MIERS of Indiana. Well, I do not want to take the time of the committee.

Mr. GIBSON. Regular order, Mr. Chairman.

Mr. MIERS of Indiana. I should like to ask if it be not in order, Mr. Chairman, to ask for unanimous consent to dispose of this bill?

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the bill to which he refers (H. R. 5931) be taken up. Is there objection?

Mr. KING. I object.

The CHAIRMAN. The gentleman from Utah objects.

Mr. MIERS of Indiana. Mr. Chairman, I understand the gentleman from Utah will withdraw his objection.

Mr. FINLEY. I object, Mr. Chairman.

SARAH B. SCHAEFFER.

The next business was the bill (H. R. 12577) granting a pension to Sarah B. Schaeffer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll of the United States the name of Sarah B. Schaeffer, widow of the late Charles M. Schaeffer, major in the Fourteenth Minnesota Volunteer Infantry, and to pay her a pension from and after the passage of this act at the rate of \$30 per month.

The amendments reported by the Committee on Pensions were read, as follows:

In lines 4 and 5 strike out "of the United States" and insert "subject to the provisions and limitations of the pension laws."

In line 6 strike out "the late."

In line 7 insert "late."

In lines 8 and 9 insert "and second lieutenant, Ninth Cavalry, United States Army."

In lines 9 and 10 strike out "from and after the passage of this act."

In line 10 strike out "thirty" and insert "fifteen."

Mr. FLETCHER. I move to amend the amendment of the committee by striking out "fifteen" and inserting "twenty." The bill as introduced by me provided for a pension of \$30, which the committee has cut down to \$15. Now, I ask the House to adopt my amendment to make the amount \$20. I would ask that the report be read if necessary, or possibly I had better make a brief statement.

The husband of the lady for whom this pension is asked was formerly a lieutenant in the Regular Army. He resigned that position a few years ago. When the war with Spain broke out he enlisted, and was appointed a major. Soon after his return from service in the recent war he was taken sick and died. His widow

is absolutely penniless. She has no income whatever, except that derived from her manual labor. She has three small children and is in delicate health. Her neighbors purchased for her a little house for \$700, thus affording shelter for her and her three little children. I hope my amendment increasing the amount named by the committee from \$15 to \$20 will be agreed to.

Mr. HENRY C. SMITH. Mr. Chairman, the amount allowed in this bill is in accordance with the rule universally applied in similar circumstances by the Committee on Pensions. The gentleman from Minnesota [Mr. FLETCHER] appeared before the committee, made his argument, and submitted his proof, after considering which the committee agreed upon the amendment reported. I hope that the amendment of the gentleman from Minnesota will not prevail.

Mr. FLETCHER. I have already stated the facts in this case. The beneficiary in this bill is a poor woman, without a dollar in the world, and with three small children to support. Her husband served the Government in the Regular Army, and having resigned his position entered afterwards the volunteer service in the recent war, and was appointed a major. I ask that this small increase proposed by my amendment be granted.

Mr. HENRY C. SMITH. I ask that the amendment be voted down.

The question being taken, the amendment of Mr. FLETCHER to the amendment of the committee was agreed to, there being—ayes 42, noes 9.

The amendment of the committee as amended was adopted.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

ISAAC D. TOLL.

The next business was the bill (H. R. 1148) to increase the pension of Capt. Isaac D. Toll.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to increase the pension of Capt. Isaac D. Toll, late of Company E, Fifteenth United States Infantry, in the war with Mexico, from \$8 to \$20 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Change the title so as to read: "Granting an increase of pension to Isaac D. Toll."

Strike out all in the bill after the words "directed to," in line 4, and insert in lieu thereof the words, "place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isaac D. Toll, late captain, Fifteenth Infantry, United States Army, war with Mexico, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

VIANNA MALLARD.

The next business was the bill (H. R. 633) granting an increase of pension to Vianna Mallard, widow of John Q. Mallard.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Vianna Mallard, widow of John Q. Mallard, late a private in Captain Singletary's company, First North Carolina Volunteers, in the war with Mexico, and pay her a pension at the rate of \$12 per month in lieu of the pension she now receives, from and after the passage of this act.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Strike out of the title the words "widow of John Q. Mallard."

In line 4, after the word "roll," insert "subject to the provisions and limitations of the pension laws."

In lines 8 and 9 strike out all after the words "in lieu of" and substitute therefor the words "that she is now receiving."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JOHN H. DOREMUS.

The next business was the bill (H. R. 12258) for the relief of John H. Doremus.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John H. Doremus, late a second lieutenant of Company D, Second Regiment New Jersey Volunteer Infantry, Spanish war, and pay him a pension at the rate of \$72 per month.

The amendments reported by the Committee on Pensions were read, as follows:

Change the title so as to read: "A bill granting a pension to John H. Doremus."

In line 8 strike out the words "Spanish war" and insert in lieu thereof "war with Spain."

Also, in lines 8 and 9 strike out the word "seventy-two" and insert in lieu thereof the word "fifty."

Mr. KING. I would like to hear the report in this case.

Mr. STEWART of New Jersey. The report is very lengthy on account of the recital of expert opinions. I trust it will be

satisfactory to the gentleman from Utah [Mr. KING] if I state the facts briefly.

Lieutenant Doremus is a resident of my district. I have known him from childhood. He was an officer in the Second New Jersey Regiment in the late war with Spain. When he entered the service he was in perfect and absolute health. He is now totally blind; and his blindness, according to the opinion of the best oculists in the land, is the result of kidney trouble contracted in the war.

Mr. KING. Is he blind in both eyes?

Mr. STEWART of New Jersey. He is absolutely blind. He has quite an interesting little family. He has been obliged to take his boy from school in order that he may lead him about and assist him in providing the absolute necessities of life. He has no income—no means of support.

Mr. KING. If he is totally blind, would he not be entitled to a pension under the general law?

Mr. STEWART of New Jersey. The young physicians of the Pension Office have failed to find that the immediate cause of this man's blindness is the kidney trouble contracted in the Army, although the best oculists in the country, such men as Knapp, Chase, etc., have stated absolutely that such is the case. I asked, before the committee, for a pension of \$72—the full amount allowed under such circumstances—but the committee saw proper to reduce it to \$50.

Mr. KING. Was this man wounded?

Mr. STEWART of New Jersey. No, sir; he was not wounded. He was, I will state, in the late Spanish war—

Mr. KING. Where did he serve?

Mr. STEWART of New Jersey. In Florida, and was afterwards ordered to Habana, but was discharged on account of disability. He is absolutely blind.

Mr. KING. I withdraw the request.

The amendment was considered and agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

NANCY T. HARDY.

The next business was the bill (H. R. 12616) granting an increase of pension to Nancy T. Hardy.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nancy T. Hardy, widow of Aquila Hardy, late of the Georgia Volunteers, Indian war, and pay her a pension at the rate of \$25 per month, the same to be in lieu of that she is now receiving.

The following amendments, recommended by the Committee on Pensions, were read:

In line 8 substitute the word "twenty" for the word "twenty-five," and in the same line strike out the words "the same to be."

Mr. ADAMSON. Mr. Chairman, I desire to ask my colleagues to vote down the first amendment. The records show this to be the widow of a soldier of the war of 1812. She is exceedingly old, and is without property of any kind, or anyone to support her. I ask, then, that the committee vote down the amendment striking out "twenty-five" and inserting "twenty."

The amendment was considered, and rejected.

The CHAIRMAN. Without objection, the other amendment will be considered as agreed to.

There was no objection.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

ROBERT P. CURRIN.

The next business was the bill (H. R. 7810) granting a pension to Robert P. Currin.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Robert P. Currin, late a private in Flory's Missouri Rifles, Indian war, and pay him a pension of \$25 per month in lieu of the pension he is now receiving.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Change the title so as to read: "A bill granting an increase of pension to Robert P. Currin."

In line 4, after the word "roll," insert "subject to the provisions and limitations of the pension laws."

In line 6 strike out "of twenty-five" and insert in lieu thereof "at the rate of sixteen."

In line 7 strike out "the pension" and insert "that."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

CARRIE OTIS WALLACE.

The next business was the bill (H. R. 12415) to increase the pension of Carrie Otis Wallace.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Carrie Otis Wallace, widow of George D. Wallace, late captain, Seventh Cavalry, United States Army,

and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The following amendment, recommended by the Committee on Pensions, was read:

Add to the end of the bill the words "and \$2 per month additional on account of her minor child, Otis A."

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

LOUIS NESSELL.

The next business was the bill (H. R. 5613) to increase the pension of Louis Nessell, a survivor of the Mexican war.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to pay to Louis Nessell, a survivor of the Mexican war, a pension of \$30 a month in lieu of that which he is now receiving.

The following amendments, recommended by the Committee on Pensions, were read:

Change the title so as to read: "A bill granting an increase of pension to Louis Nessell."

In line 4, before the word "directed," insert "authorized and."

Strike out all in the bill after the words "directed to," in line 4, and substitute therefor the words "place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Louis Nessell, late of Company A, United States Engineer Corps, war with Mexico, and pay him a pension at the rate of \$18 per month in lieu of that he is now receiving."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

DAVID FLINN.

The next business was the bill (H. R. 3232) granting an increase of pension to David Flinn.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David Flinn, late an enlisted man in the United States Navy during the Mexican war, and who served on the ship *Congress* under Commodore Stockton, and pay him a pension at the rate of \$24 a month in lieu of that he is now receiving.

The following amendments, recommended by the Committee on Pensions, were read:

In line 6, after the word "late," strike out "an enlisted man in the" and insert in lieu thereof the word "landsman."

In line 7, after the word "Navy," strike out "during the Mexican war" and insert "war with Mexico."

Also, in lines 7 and 8, strike out "and who served on the ship *Congress* under Commodore Stockton."

In line 9 strike out "twenty-four" and insert "twenty."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARY I. NELSON.

The next business was the bill (H. R. 11658) to place on the pension roll the name of Mary I. Nelson.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll the name of Mary I. Nelson, widow of John A. Nelson, late captain of Company H, Thirtieth Massachusetts Infantry, during the war of the rebellion, and pay her a pension, subject to the provisions and limitations of the pension laws.

The following amendments, recommended by the Committee on Pensions, were read:

Amend the title so as to read: "A bill granting an increase of pension to Mary I. Nelson."

Strike out all in the bill after the words "pension roll," in line 4, and substitute therefor the following: "subject to the provisions and limitations of the pension laws, the name of Mary I. Nelson, widow of John A. Nelson, late second-class boy, United States ships *Franklin* and *Albany*, war with Mexico, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

LOTTIE M. RANKINS.

The next business was the bill (H. R. 12294) granting a pension to Lottie M. V. Rankins.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lottie M. V. Rankins, daughter of Joseph Rankins, late of United States Navy, and pay her a pension at the rate of \$12 per month.

The following amendments, recommended by the Committee on Pensions, were read:

Amend the title so as to read: "A bill granting a pension to Lottie M. Rankins."

In line 6 strike out the initial "V." where it occurs in claimant's name. Also, in same line, strike out the word "daughter" and substitute therefor the word "widow."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

HENRY L. McCALLA.

Mr. FINLEY. Mr. Chairman, I wish to withdraw my objection to the consideration of the bill (H. R. 5931) for the relief of Henry L. McCalla.

The CHAIRMAN. This bill has been read, and the question is on the amendments.

Mr. LOUD. Is that the bill which has been twice objected to? The CHAIRMAN. It is.

Mr. LOUD. I do not like to interpose objection myself, but, Mr. Chairman, I claim that the Chair has no right to entertain a request of this kind for unanimous consent. We are operating under a rule of the House of Representatives, which is made mandatory, and the committee have no right to set it aside, unless the Chair shall determine the bill to be in order under the rule. If that be the case, I shall not make objection, but I do claim that in the ordinary course of procedure the Chair has no right to entertain such a motion.

The CHAIRMAN. The Chair assumes the position of the gentleman from California to be correct. The Chair was, perhaps, a little in doubt as to whether the matter was properly in order for consideration to-day, and for that reason he exercised some latitude in entertaining the request for unanimous consent.

Mr. LOUD. I do not care what the Chairman holds. I think there is a doubt about this; but if you entertain a request here to-day without rendering a decision, then you have established a precedent, Mr. Chairman, which must be followed hereafter, and I think it is better for the Chairman to hold that this bill is in order and settle the question, rather than to leave it in doubt and let the Committee of the Whole set aside a rule of the House.

The CHAIRMAN. The Chair will state that upon more mature consideration the Chair is obliged to decide that the bill is not in order.

MARY FLYNN.

The next business was the bill (H. R. 10118) for the relief of Mrs. Mary Flynn, of Mississippi.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Mary Flynn, of Mississippi, at \$18 per month, instead of \$8 per month, which she now draws as the widow of William Flynn, deceased, late a soldier in the Mexican war, under certificate No. 11738, issued October 17, 1899.

The following amendment, recommended by the Committee on Pensions, was read:

Change the title so as to read: "Granting an increase of pension to Mary Flynn."

Strike out all in the bill after the word "roll," in line 4, and substitute therefor the words "subject to the provisions and limitations of the pension laws, the name of Mary Flynn, widow of William P. Flynn, late of Company E, First Louisiana Militia Volunteers, war with Mexico, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving."

Mr. HENRY of Mississippi. Mr. Chairman, I move to amend the amendment by striking out "twelve" and inserting "eighteen."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In the proposed committee amendment strike out "twelve" and insert "eighteen."

The CHAIRMAN. The question is first on the amendment proposed by the gentleman from Mississippi.

Mr. HENRY of Mississippi. Mr. Chairman, I want the Committee of the Whole to vote down the committee amendment.

The CHAIRMAN. The Chair will state that the better way to reach what the gentleman desires is to move to amend the amendment by striking out "twelve" and inserting "eighteen," as the gentleman first made his motion.

The amendment to the amendment was agreed to.

The committee amendment as amended was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MATTHEW T. LEWIS.

The next business was the bill (H. R. 5409) for the relief of Matthew T. Lewis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to grant an honorable discharge to Matthew T. Lewis, late of Company K, Third Michigan Cavalry: *Provided,* That no pay, bounty, or emolument shall become due by virtue of the passage of this act.

Mr. TALBERT. Mr. Chairman, I ask that that bill be laid aside.

Mr. HENRY C. SMITH. Mr. Chairman, I object. This soldier enlisted at the beginning of the war, served three years, was discharged, and reenlisted, and thereafter served three or four months. While his command was in the city of St. Louis he got word that his daughter was ill and dying, and that if he ever wanted to see her alive he must go home to Michigan.

He applied to his commanding officer for a furlough, but did not get it, as his commanding officer said, "We will all be discharged in a few days." He went home to the bedside of his

daughter. She died and he was taken sick. Before he recovered his command was discharged, but the commanding officer refused to give him a discharge.

These facts are corroborated by an abundance of testimony. The bill has been favorably reported twice, once in the Fifty-second Congress and once in the Fifty-third Congress. I know Mr. Lewis. He is a very honorable man, and I think this charge rests wrongfully against him, and that it ought to be removed. He asks no pension or anything else except the clearing up of this record.

Mr. STEELE. Let us have the report read, Mr. Chairman.

The CHAIRMAN. The Chair will state that the report is a very long one.

Mr. STEELE. I should like to hear that part of the report that comes from the War Department. There must be something from the Adjutant-General's Office or from the Secretary of War.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,
Washington, D. C., February 15, 1892.

SIR: In reply to your personal inquiry of yesterday, the 15th instant, relative to the claim for pension, No. 743406, of Matthew T. Lewis, late of Company K, Third Michigan Cavalry, I have the honor to advise you that the records of the War Department show that the soldier enlisted October 7, 1861, was discharged January 19, 1864, reenlisted the same day, and deserted April 20, 1864, and has never been finally discharged from the military service, in view of which fact this Bureau is unable to take any action in his claim.

Until he is finally discharged from the service no relief by this Bureau can be afforded Mr. Lewis, and all correspondence looking to a change in the record should be addressed to the Record and Pension Bureau, War Department, Washington, D. C.

Very respectfully,

CHARLES P. LINCOLN,
Deputy Commissioner.

Hon. J. S. GORMAN,
House of Representatives.

Mr. STEELE. Was any such communication ever sent to the Record and Pension Office as is suggested by the Secretary of the Interior?

Mr. HENRY C. SMITH. Yes. I understand from Mr. Gorman, one of my predecessors in this House, that he attempted to get his discharge, but was not successful in so doing.

At the same time in this report there are affidavits of four or five different people corroborating the statement of this soldier, and the affidavit of the surgeon, who corroborates the statement, who saw the letter from the soldier's wife saying that his daughter was dying and asking him to come back, who went with him to the commanding officer when he tried to get a furlough, when the officer declined, as I have stated, saying to him that they would all be going home in a day or two. This is the undisputed evidence here.

Under those circumstances he went to the bedside of his daughter, who afterwards died. He was taken sick himself, and before he got well enough to return to his command his company was discharged in St. Louis, Mo. This is shown by the affidavit of the doctor who attended him.

Mr. STEELE. In view of the statement of the gentleman from Michigan I shall make no further objection, but on a showing of that kind he could have gone to the War Department and got the relief which he asks for.

Mr. TALBERT. There is no doubt that every word the gentleman has stated is correct and true.

Mr. HENRY C. SMITH. I will admit it.

Mr. TALBERT (continuing). But it does seem to me, sir, that there ought to be some limit to the applications here of men who have deserted their colors and come here asking to have the charge of desertion removed.

Mr. HENRY C. SMITH. Mr. Chairman, will the gentleman permit an interruption?

Mr. TALBERT. I had hoped that this Congress would have stopped that.

Mr. HENRY C. SMITH. I ask you what you would have done in the selfsame circumstances, with your daughter in the same condition?

Mr. TALBERT. I am not on the witness stand testifying; but of course this is an exceptional case.

Mr. HENRY C. SMITH. I want this party to be tried under the same rules as you would want to be tried under.

Mr. TALBERT. But there ought to be a stop put to these applications of men who have deserted their flag appearing here to have their charge of desertion removed. While every bill has this proviso attached—

Provided, That no pay or emoluments shall accrue by the passage of this bill—

it does not amount to anything, and one of the first things they do after having the charge of desertion removed is to go on and continue until they have a pension. No deserter deserves a pension, whether he comes from the North or South, because it is a disgrace to turn your back upon your country. There are soldiers who have stood by their flag and bared their bosoms to the storm of bullets from the first to the last who deserve pensions, but I submit the time has come when this thing ought to be stopped—

that is, pensioning deserters. I want to serve notice upon this House right here and now that no further charges of desertion shall be removed against any man who deserted the flag so long as I am here and can prevent it by calling a quorum or otherwise, except in some exceedingly exceptional case.

I will not offer any further objection to the charge being removed in this case, upon the statement of the gentleman from Michigan that this man had gone to the bedside of a sick daughter; but I serve notice here and now that I am opposed to pensioning deserters and shall stand here and try to prevent any more charges of desertion being removed. Bill after bill has been passed here extending the time in which they could go to the War Department and have the charge of desertion removed. The time is now unlimited, and any man who ought to have a charge of desertion removed can go to the War Department or the Navy Department and have the charge removed.

Mr. SIMS. I would suggest to the gentleman if the charge is falsely made and the man is not a deserter, what about it?

Mr. TALBERT. He can go to the War Department and have the charge removed there, if he is in proper shape. And there is the place for him to go.

Mr. SIMS. Your idea is that they are not in the proper shape when they come here.

Mr. TALBERT. That is generally the case, and they come here because they are not entitled to it.

The CHAIRMAN. The Chair understands that the gentleman withdraws his request for unanimous consent to lay the bill aside without prejudice.

The bill was ordered to be laid aside with a favorable recommendation.

ANDREW CARNEY.

The next business was the bill (H. R. 6524) to remove the charge of desertion from the military record of Andrew Carney and grant him an honorable discharge.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and hereby is, authorized and directed to amend the military record of Andrew Carney, of Cayuga, N. Y., late private, Company E, Eightieth Regiment New York Volunteers, so as to remove the charge of desertion and grant him an honorable discharge.

The amendment recommended by the committee was read, as follows:

Add the following proviso at the end of the bill:

"Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

Mr. TALBERT. Mr. Chairman, I move now, sir, that that bill be laid aside to be reported to the House with the recommendation that it lie on the table.

Mr. STEVENS of Minnesota. Mr. Chairman, a brief explanation might convince the gentleman. This man Carney is dead; his wife is dead; there is no possibility of a pension accruing from the passage of this bill. His son desires that the bill be passed to take the stain away from his father's memory.

As I remember, this man served meritoriously. He enlisted in the Army, and also in the Navy, and served two years or more. He has a good record in both the Army and the Navy, but through some prank committed at one time he enlisted under a different name and did not apply until beyond the time provided by law for curing the record of the charge of desertion. Under these circumstances I trust that the bill may be allowed to pass, because I know the gentleman who introduced the bill would like to have it so done.

Mr. TALBERT. Mr. Chairman, I insist on my motion.

The CHAIRMAN. The question is on the motion of the gentleman from South Carolina that the bill be reported to the House with the recommendation that it lie on the table.

Mr. GIBSON. Will not the gentleman from South Carolina be satisfied to let it be passed over without prejudice?

Mr. TALBERT. I would rather kill it. [Laughter.] However, in deference to the gentleman's wishes I will ask that it be passed over, as the gentleman in charge of the bill is not present, and I do not want to take any advantage of him.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the bill be passed without prejudice. Is there objection? [After a pause.] The Chair hears none.

SAMPSON D. BRIDGMAN.

The next business on the Private Calendar was the bill (H. R. 8001) for the relief of Sampson D. Bridgman, a soldier of the Florida war.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Sampson D. Bridgman, of Rhea County, Tenn., late private in the Florida Indian war, and pay him a pension at the rate of \$20 per month.

The following amendments were recommended by the committee:

Change the title so as to read: "Granting a pension to Sampson D. Bridgman."

In line 4, after the word "roll," insert "subject to the provisions and limitations of the pension laws."

In line 5 strike out "of Rhea County, Tenn."

In line 6 strike out "private in the Florida" and substitute therefor "of Captain Terry's company, Tennessee Volunteers."

In line 7 strike out "twenty" and insert "eight."

The amendments were agreed to.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

OTTO HALTNORTH.

The next business on the Private Calendar was the bill (S. 4834) granting a pension to Otto Haltnorth.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Otto Haltnorth, late of Signal Corps, United States Army, and pay him a pension at the rate of \$17 per month.

The bill was laid aside to be reported to the House with a favorable recommendation.

SAMUEL WELCH.

The next business on the Private Calendar was the bill (H. R. 11974) granting an honorable discharge to Samuel Welch.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to correct the military record of and grant an honorable discharge to Samuel Welch, late private, Company F, Third Wisconsin Volunteer Cavalry, and now a resident of Delton, Wis.

Mr. TALBERT. Mr. Chairman, I move that that bill be reported to the House with the recommendation that it lie on the table.

Mr. GIBSON. As long as the gentleman who introduced the bill is not present [Mr. BABCOCK], I ask the gentleman to let it take the same course as the former one.

Mr. TALBERT. Well, Mr. Chairman, I do not know as I have any objection, inasmuch as the gentleman who introduced the bill is absent.

The CHAIRMAN. Without objection, the bill will be passed without prejudice.

There was no objection.

MARY SANDERS.

The next business on the Private Calendar was the bill (S. 4209) granting a pension to Mary Sanders.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Sanders, widow of Frederick Sanders, late of Company D, Seventy-sixth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

Mr. RICHARDSON of Tennessee. Mr. Chairman, I would like to ask my colleague, the chairman of the committee, if he intends to try to pass these bills this afternoon.

Mr. GIBSON. Mr. Chairman, I think I am competent of taking care of this matter myself.

Mr. RICHARDSON of Tennessee. I have no doubt of that.

Mr. GIBSON. I have not served in the House here six years for nothing.

Mr. RICHARDSON of Tennessee. All right. Mr. Chairman, I move that the committee do now rise.

Mr. McCLEARY. Mr. Chairman, pending that motion, I ask unanimous consent to take up the bill H. R. 12121.

The CHAIRMAN. Does the gentleman from Tennessee yield for the request of the gentleman from Minnesota?

Mr. RICHARDSON of Tennessee. No; Mr. Chairman, I move that the committee do now rise.

Mr. GIBSON. I will acquiesce in the motion of my colleague from Tennessee.

The CHAIRMAN. The question is on the motion of the gentleman from Tennessee, that the committee now rise and report the bill with amendments to the House.

The question was taken; and on a division (demanded by Mr. RICHARDSON of Tennessee) there were—44 ayes and 15 noes.

So the committee determined to rise. Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CAPRON, Chairman of the Committee of the Whole House on the Private Calendar, reported that that committee had had under consideration sundry private bills, and had directed him to report the same back to the House, some with and some without amendment, with a favorable recommendation. Also, that the committee had directed him to report the following bills, with the recommendation that they lie on the table, viz: H. R. 5121 and H. R. 19271.

PRIVATE BILLS PASSED.

Mr. GIBSON. I ask unanimous consent that on the bills favorably reported from the Committee of the Whole House, with or without amendments, the previous question be considered as ordered to their final passage.

The SPEAKER. Is there objection?

There being no objection, it was ordered accordingly.

House bills of the following titles, favorably reported from the Committee of the Whole House without amendment, were severally considered, ordered to be engrossed and read a third time, read the third time, and passed:

A bill (H. R. 10480) granting an increase of pension to George P. Overton;

A bill (H. R. 12444) granting an increase of pension to John D. Cohler;

A bill (H. R. 12063) granting an increase of pension to Eugene M. Hawes;

A bill (H. R. 9914) granting a pension to Almira A. Scott; and

A bill (H. R. 5409) for relief of Matthew T. Lewis.

House bills of the following titles, reported from the Committee of the Whole House with amendments, were severally considered, the amendments agreed to, the bills as amended ordered to be engrossed and read a third time, read the third time, and passed:

A bill (H. R. 3825) to grant an honorable discharge to Frederick A. Noeller;

A bill (H. R. 12476) granting an increase of pension to Samuel Minnich (title amended);

A bill (H. R. 2396) granting an increase of pension to Francis H. Pike;

A bill (H. R. 9235) granting a pension to Peter Lundberg, of Wayne, Nebr. (title amended);

A bill (H. R. 12566) granting a pension to George M. Walker;

A bill (H. R. 5195) granting an increase of pension to Jacob W. Kouts (title amended);

A bill (H. R. 12350) granting an increase of pension to James Paul;

A bill (H. R. 12301) granting an increase of pension to Jacob E. Swap;

A bill (H. R. 12249) granting an increase of pension to Gideon Johnson;

A bill (H. R. 12297) granting an increase of pension to Andrew J. Harbison;

A bill (H. R. 12190) to place on pension roll the name of Patrick Connelly (title amended);

A bill (H. R. 11806) granting a pension to Edward Hause (title amended);

A bill (H. R. 11312) granting an increase of pension to Johnson H. Fitzpatrick;

A bill (H. R. 8998) granting an increase of pension to Alexander F. Hartford;

A bill (H. R. 4672) granting a pension to James W. Boden;

A bill (H. R. 4078) granting a pension to John D. Allen (title amended);

A bill (H. R. 3945) granting an increase of pension to Burdette N. Cleveland, of Fremont, in the State of Nebraska (title amended);

A bill (H. R. 3466) for the relief of Hiram Stimple (title amended);

A bill (H. R. 601) granting an increase of pension to Daniel W. Shaw;

A bill (H. R. 551) granting an increase of pension to Frank F. Carnduff;

A bill (H. R. 12391) granting an increase of pension to James M. Campbell;

A bill (H. R. 8658) granting an increase of pension to Edwin G. Fay, late lieutenant, Company C;

A bill (H. R. 1536) for the benefit of Mary J. Connery, of Falmouth, Ky. (title amended);

A bill (H. R. 12516) granting an increase of pension to Edward Warner;

A bill (H. R. 11836) granting an increase of pension to Bela Sawyer;

A bill (H. R. 8525) to increase the pension of Maurice Fitzgerald (title amended);

A bill (H. R. 6921) granting an increase of pension to Gustav Rienecker, of Alexandria, Va. (title amended);

A bill (H. R. 6914) granting a pension to Elliott Loomis, of Gibson, in the State of Nebraska (title amended);

A bill (H. R. 6319) granting a pension to George W. Cox, of Horton, Iowa;

A bill (H. R. 6145) granting a pension to Benoni A. McConnell;

A bill (H. R. 5303) granting a pension to Julia A. Prouty, late an Army nurse (title amended);

A bill (H. R. 4906) granting a pension to Ellen Quinn (title amended);

A bill (H. R. 12490) granting an increase of pension to Andrew J. West;

A bill (H. R. 12411) granting a pension to Catherine T. Howell;

A bill (H. R. 11507) granting a pension to Perry C. Jeffrey (title amended);

A bill (H. R. 9536) to pension Sarah Carter, now Sarah Hastings (title amended);

A bill (H. R. 9182) to pension Eva K. Nyberg (title amended);

A bill (H. R. 2430) for the relief of Jacob L. Hanger, alias William T. Graham;

A bill (H. R. 12577) granting a pension to Sarah B. Schaeffer;

A bill (H. R. 1148) to increase the pension of Isaac D. Toll (title amended);

A bill (H. R. 633) granting an increase of pension to Vianna Mallard, widow of John Q. Mallard (title amended);

A bill (H. R. 12258) for the relief of John H. Doremus (title amended);

A bill (H. R. 12616) granting an increase of pension to Nancy T. Hardy;

A bill (H. R. 7810) granting a pension to Robert P. Currin (title amended);

A bill (H. R. 12415) granting an increase of pension to Carrie Otis Wallace;

A bill (H. R. 5613) to increase the pension of Louis Nessell, a survivor of the Mexican war;

A bill (H. R. 3232) granting an increase of pension to David Flinn;

A bill (H. R. 11658) to place on the pension roll the name of Mary I. Nelson (title amended);

A bill (H. R. 12294) granting a pension to Lottie M. Rankins (title amended);

A bill (H. R. 10118) for the relief of Mrs. Mary Flynn; and

A bill (H. R. 8001) for the relief of Sampson D. Bridgman, a soldier of the Florida war.

Senate bills of the following titles, favorably reported from the Committee of the Whole without amendment, were severally considered, ordered to a third reading, read the third time, and passed:

A bill (S. 3148) to correct the military record of William Lapoint;

A bill (S. 1952) granting an increase of pension to Thomas J. Jackson;

A bill (S. 1278) granting an increase of pension to F. W. Baker;

A bill (S. 2161) granting a pension to Eli F. Chittenden;

A bill (S. 1978) granting an increase of pension to Ellis P. Phipps;

A bill (S. 2202) granting an increase of pension to Alvin N. Sabin;

A bill (S. 2913) granting an increase of pension to William E. Ferree;

A bill (S. 4276) granting an increase of pension to Joel Bowling;

A bill (S. 2776) granting an increase of pension to Pinnie L. Carr;

A bill (S. 4086) granting an increase of pension to Thomas L. Turnipseed;

A bill (S. 56) granting a pension to Sayer Jensen;

A bill (S. 1052) granting an increase of pension to Rachel Frisbey;

A bill (S. 4834) granting a pension to Otto Haltnorth; and

A bill (S. 4209) granting a pension to Mary Sanders.

Senate bills of the following titles, reported from the Committee of the Whole House with amendments, were severally considered, the amendments agreed to, and the bills as amended ordered to a third reading, read the third time, and passed:

A bill (S. 3941) granting an increase of pension to John Hutchens; and

A bill (S. 352) granting an increase of pension to Catherine A. Young.

PRIVATE BILLS LAID ON THE TABLE.

Bills of the following titles, reported from the Committee of the Whole House with the recommendation that they lie on the table, were severally considered, and ordered to lie on the table:

A bill (H. R. 9271) to remove the charge of desertion against Charles Schaupp, alias Phillip Schaupp, and authorizing his honorable discharge; and

A bill (H. R. 5121) granting an increase of pension to Frank W. Paige.

Mr. GIBSON. I ask unanimous consent to enter a motion to reconsider the several votes by which bills reported from the Committee of the Whole House have been passed, and that the motion to reconsider be laid on the table.

There being no objection, it was ordered accordingly.

Mr. STEELE. Mr. Speaker, with reference to the bills which have been laid on the table, does that action finally dispose of them, or should there be a motion to reconsider and to lay that motion on the table?

The SPEAKER. As the Chair understands, the motion of the gentleman from Tennessee [Mr. GIBSON] to reconsider and lay on the table did not cover those bills.

Mr. STEELE. I move then to reconsider the action of the House by which those bills were laid on the table, and that the motion to reconsider be laid on the table.

The latter motion was agreed to.

LEAVE OF ABSENCE.

Mr. RANDELL, by unanimous consent, obtained leave of absence for four days, on account of sickness.

WILLIAM DUGDALE.

Mr. HILL. I ask unanimous consent for the present consideration of the bill (H. R. 5612) for the relief of William Dugdale, postmaster at Noroton Heights, Conn.

The bill was read, as follows:

Be it enacted, etc., That the Postmaster-General be, and he is hereby, authorized and directed to give credit to William Dugdale, postmaster at Noroton Heights, Conn., on his money-order account, for the sum of \$2,102.87, being the balance now charged against him on account of certain money orders obtained by fraud in 1894 by one Leroy Harris, who was afterwards arrested for said offense, convicted, and sent to the penitentiary.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. RICHARDSON of Tennessee. We would like to know something about the bill. It appears to be a claim bill; and I do not see any reason why it should not come up regularly on the Calendar when other claim bills are considered. Why should it be taken up out of its order?

Mr. HILL. I think I can make an explanation which will be entirely satisfactory to the gentleman. This bill has been reported unanimously by the Committee on the Post-Office and Post-Roads. The matter has arisen by reason of fraud perpetrated upon the Government by means of forged money orders, payment of which was procured by an assumed post-office inspector and confederate. The guilty parties have been arrested, tried, and convicted. One of them is now serving a term of six years in the Joliet penitentiary; the other is in the Albany penitentiary. A part of the money was recovered. There is no way for the Government to adjust the balance unless action be taken by Congress.

Mr. RICHARDSON of Tennessee. I was not raising any question upon the merits of the claim. My inquiry was why this bill should be taken up out of its order.

Mr. HILL. It has not been before the Committee on Claims.

Mr. RICHARDSON of Tennessee. I understand now that it has been acted on by the Committee on the Post-Office and Post-Roads.

Mr. HILL. Yes; and the report is unanimous.

Mr. RICHARDSON of Tennessee. How did that committee get control of the bill? It seems to be a pure claim against the Government.

Mr. HILL. Not at all; it is a question of the adjustment of accounts with a postmaster, and it went properly to the Committee on the Post-Office and Post-Roads.

Mr. RICHARDSON of Tennessee. I am not sure about that.

Mr. HILL. It is not a claim. It is a question of the adjustment of an account at the Post-Office Department. But there is no law providing for a final adjustment by the Department in a case of this kind. The Auditor of the Department states that he will hold up the account pending the action of Congress, and, in his judgment, it is entirely proper that action should be taken by us on the question. There is no other way to dispose of it. The chairman of the Committee on the Post-Office and Post-Roads understands fully the situation, I think. It was properly referred to that committee.

Mr. RICHARDSON of Tennessee. Well, the chairman of the Committee on Post-Offices and Post-Roads is present. I do not know that I have ever known the chairman of that committee to recommend the passage of a claim bill through this House. [After a pause.] I see the gentleman maintains silence. [Laughter.]

Mr. HILL. Well, that is a justification for the passage of the bill.

Mr. RICHARDSON of Tennessee. Well, inasmuch as the gentleman has appealed to Caesar, I would like to hear from him. I would like to hear him speak in favor of any one claim before this House, if he favors anything of the kind, because as I remember I have not heard him make such a statement before.

Mr. HILL. This is not a matter of claims at all, but simply a question of the adjustment of accounts.

Mr. RICHARDSON of Tennessee. I hardly think the reference to the Committee on Post-Offices and Post-Roads was a proper one.

Mr. LOUD. Oh, Mr. Speaker, there can be no doubt that if the point of order is made the bill could not be considered.

Mr. RICHARDSON of Tennessee. I am not raising the point of order, but, in my judgment, it should have gone to the Committee on Claims.

Mr. LOUD. It has been the custom for years past, I will state to the gentlemen, to refer such matters to the Committee on Post-Offices and Post-Roads.

Mr. HILL. I hope the point of order will not be raised.

Mr. RICHARDSON of Tennessee. I do not make it.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut for the present consideration of the bill?

There was no objection.

The bill was considered, was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed. On motion of Mr. HILL, a motion to reconsider the last vote was laid on the table.

REMOVAL OF OBSTRUCTION, BRUNSWICK RIVER, NORTH CAROLINA.

Mr. THOMAS of North Carolina. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concur-

rent resolution No. 96, directing the Secretary of War to transmit to the Senate an estimate of the cost of removing the obstruction at the mouth of the Brunswick River, North Carolina, for present consideration.

The SPEAKER. The concurrent resolution will be read, subject to the right of objection.

The concurrent resolution was read, as follows:

Resolved by the Senate (the House of Representatives concurring). That the Secretary of War be directed to transmit to the Senate an estimate of the cost of removing the obstruction at the mouth of Brunswick River in North Carolina.

The SPEAKER. The gentleman asks unanimous consent for the immediate consideration of this resolution. Is there objection? There was no objection.

The resolution was considered, and agreed to.

And then, on motion of Mr. DALZELL (at 5 o'clock and 5 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War relating to a reappropriation for the construction of telegraph and cable lines in Alaska—to the Committee on Military Affairs, and ordered to be printed.

A letter, transmitting the annual report of the Georgetown Barge, Dock, Elevator, and Railway Company for the year ending December 21, 1900—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the Secretary of War, transmitting, with the report of a board of officers on the subject, a recommendation as to transfers of certain public property in Porto Rico—to the Committee on Insular Affairs, and ordered to be printed.

A letter from the Attorney-General of the United States, transmitting a list of judgments rendered against the United States by the circuit and district courts of the United States—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. LACEY, from the Committee on Indian Affairs, to which was referred the bill of the Senate (S. 3173) to ratify an agreement with the Indians of the Crow Reservation, in Montana, and making appropriations to carry the same into effect, reported the same with amendment, accompanied by a report (No. 2498); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SHERMAN, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 5080) to appropriate money to pay settlers for improvements on Round Valley Indian Reservation, reported the same with amendment, accompanied by a report (No. 2499); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HITT, from the Committee on Foreign Affairs, to which was referred the bill of the House (H. R. 13197) to regulate the coming of Chinese into the United States, and for other purposes, reported the same with amendments, accompanied by a report (No. 2503); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. NORTON of Ohio, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2163) granting a pension to Mary L. Cramer, reported the same with amendment, accompanied by a report (No. 2467); which said bill and report were referred to the Private Calendar.

Mr. GASTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7055) granting a pension to John G. Barr, reported the same with amendment, accompanied by a report (No. 2468); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1215) for relief of Charles M. Neet, reported the same with amendment, accompanied by a report (No. 2469); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7072) granting a pension to Mary Barron, reported the same with amendment, accompanied by a report (No. 2470); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7354) granting a pension to M. V. Douglass, of Canonsburg, Washington County, Pa., reported the same with amendment, accompanied by a report (No. 2471); which said bill and report were referred to the Private Calendar.

Mr. GASTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12732) granting an increase of pension to Elizabeth Reynolds, reported the same with amendment, accompanied by a report (No. 2472); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10733) granting an increase of pension to Jeremiah Evans, reported the same with amendment, accompanied by a report (No. 2473); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11334) granting a pension to Martin Rodman, reported the same with amendment, accompanied by a report (No. 2474); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2117) for relief of James F. Campbell, of Charleston, Bradley County, Tenn., reported the same with amendment, accompanied by a report (No. 2475); which said bill and report were referred to the Private Calendar.

Mr. NORTON of Ohio, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3091) to increase the pension of John Beaird, reported the same with amendment, accompanied by a report (No. 2476); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 2678) granting a pension to Joseph B. Arbaugh, reported the same with amendment, accompanied by a report (No. 2477); which said bill and report were referred to the Private Calendar.

Mr. CONNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3960) granting a pension to John Fisher, of Wilber, Saline County, Nebr., reported the same with amendment, accompanied by a report (No. 2478); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10354) granting an increase of pension to John W. Campbell, reported the same with amendment, accompanied by a report (No. 2479); which said bill and report were referred to the Private Calendar.

Mr. NORTON of Ohio, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12818) granting a pension to John B. Lewis, reported the same with amendment, accompanied by a report (No. 2480); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4626) granting a pension to John L. Branson, reported the same with amendment, accompanied by a report (No. 2481); which said bill and report were referred to the Private Calendar.

Mr. CONNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13186) restoring and granting an increase of pension to F. M. Thompson, reported the same with amendment, accompanied by a report (No. 2482); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13050) to increase the pension of James D. Woodward, reported the same with amendment, accompanied by a report (No. 2483); which said bill and report were referred to the Private Calendar.

Mr. GASTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12896) granting a pension to Penrose Wiley Reagan, reported the same with amendment, accompanied by a report (No. 2484); which said bill and report were referred to the Private Calendar.

Mr. NORTON of Ohio, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12825) granting a pension to Salmon Hudson, reported the same with amendment, accompanied by a report (No. 2485); which said bill and report were referred to the Private Calendar.

Mr. GASTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6859) for the relief of Helen Gillen, widow of Daniel F. Gillen, late captain Company I, Sixty-ninth Regiment Pennsylvania Volunteers, reported the same with amendment, accompanied by a report (No. 2486); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8842) granting a pension to Sarah O. Field, reported the same with amendment, accompanied by a report (No. 2487); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3746) granting an increase of pension to George W. Bodurtha, reported the same without amendment, accompanied by a report (No. 2488); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2915) granting an increase of pension to Samuel Z. Murphy, reported the same without amendment, accompanied by a report (No. 2489); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1732) granting an increase of pension to Bertha Leavey, reported the same without amendment, accompanied by a report (No. 2490); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5144) granting an increase of pension to Charles Scott, reported the same without amendment, accompanied by a report (No. 2491); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1212) granting an increase of pension to John W. Canaday, reported the same without amendment, accompanied by a report (No. 2492); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2037) granting an increase of pension to George F. Burrage, reported the same without amendment, accompanied by a report (No. 2493); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2785) granting an increase of pension to William H. Gardner, reported the same without amendment, accompanied by a report (No. 2494); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3648) granting an increase of pension to Peter Shelt, reported the same without amendment, accompanied by a report (No. 2495); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2163) granting an increase of pension to Franklin Kersting, reported the same without amendment, accompanied by a report (No. 2496); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2905) granting a pension to George M. Wilson, reported the same without amendment, accompanied by a report (No. 2497); which said bill and report were referred to the Private Calendar.

Mr. BROWNLOW, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 9453) for the relief of Harry Hume Ainsworth, reported the same without amendment, accompanied by a report (No. 2501); which said bill and report were referred to the Private Calendar.

Mr. ESCH, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 6626) to correct the military record of Henry M. Holmes, reported the same with an amendment, accompanied by a report (No. 2502); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 6779) to pay certain Treasury settlements, reported the same without amendment, accompanied by a report (No. 2504); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, Mr. LACEY, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 11072) for the relief of the Kathlamet band of the Chinook Indians, of the State of Oregon, reported the same adversely, accompanied by a report (No. 2500); which said bill and report were laid on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HEMENWAY, from the Committee on Appropriations: A bill (H. R. 13822) making appropriations for fortifications and

other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes—to the Union Calendar.

By Mr. HENRY C. SMITH: A bill (H. R. 13823) to create and establish a commission known as the National Freight Commission, and to fix, determine, adjust, and regulate freight rates and rates of transportation—to the Committee on Interstate and Foreign Commerce.

By Mr. CORLISS: A bill (H. R. 13831) to protect employees of street railway companies, and so forth—to the Committee on the District of Columbia.

By Mr. PEARRE: A bill (H. R. 13838) granting leaves of absence to employees of the Post-Office Department in the mail-bag repair shop—to the Committee on the Post-Office and Post-Roads.

By Mr. TATE: A concurrent resolution (H. C. Res. 72) for the printing and binding of certain records, briefs, and arguments in cases in the Supreme Court—to the Committee on Printing.

By Mr. BOWERSOCK: A concurrent resolution of the legislature of Kansas, condemning the practice of hazing at the West-point Military Academy—to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. GAINES: A bill (H. R. 13824) to remove the charge of desertion from the military record of Adrian J. Weller—to the Committee on Military Affairs.

By Mr. HENRY of Mississippi: A bill (H. R. 13825) for the relief of the estate of James C. Mitchell, deceased—to the Committee on War Claims.

By Mr. MORRELL: A bill (H. R. 13826) to correct the military record of Calvin Hough—to the Committee on Military Affairs.

By Mr. NORTON of Ohio: A bill (H. R. 13827) granting an increase of pension to William Minnick—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 13828) granting an increase of pension to Selden E. Flowers—to the Committee on Invalid Pensions.

By Mr. STEELE: A bill (H. R. 13829) granting an increase of pension to Joe Cowgill—to the Committee on Invalid Pensions.

By Mr. HEDGE: A bill (H. R. 13830) granting a pension to Joseph W. White—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 13832) granting a pension to Joel Rice—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 13833) for the relief of Wesley J. Brant—to the Committee on Military Affairs.

Also, a bill (H. R. 13834) granting a pension to Frank Mead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13835) granting a pension to Minnie R. Jacks—to the Committee on Invalid Pensions.

By Mr. LANDIS: A bill (H. R. 13836) granting a charter to the General Federation of Women's Clubs—to the Committee on the Judiciary.

By Mr. RICHARDSON of Alabama: A bill (H. R. 13837) for the relief of the heirs of George W. Foster—to the Committee on War Claims.

Also, a bill (H. R. 13839) for the relief of the Masonic lodge of Tusculumbia, Colbert County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 13840) to place Gilbreath's Guides and Scouts upon the rolls of the United States Army—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS: Resolutions of the select and common councils of Philadelphia, Pa., in favor of Senate bill No. 727, known as the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. BARTLETT: Resolutions of the mayor and councils of Macon, Ga., in favor of an appropriation for the special or fast mail service between New York and New Orleans via Atlanta—to the Committee on the Post-Office and Post-Roads.

By Mr. BELL: Petition of citizens of Pueblo, Colo., in favor of the anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. BULL: Papers to accompany House bill granting a pension to Elizabeth A. Collins—to the Committee on Invalid Pensions.

By Mr. BUTLER: Petition of citizens' meeting of Marple, Pa., for the exclusion of intoxicants from all countries inhabited by native races—to the Committee on Foreign Affairs.

By Mr. FARIS: Petition of wholesale and retail druggists of

Terre Haute, Ind., for the repeal of the special tax on proprietary medicines—to the Committee on Ways and Means.

Also, petition of H. P. Townley and 26 other citizens of Terre Haute, Ind., urging the passage of a measure providing a permanent supply of live water for irrigating purposes for the Pima and Papago Indians in Arizona—to the Committee on Indian Affairs.

By Mr. FITZGERALD of Massachusetts: Petition of the Merchants' Association of New York, favoring extension of the pneumatic tubular service in connection with the Post-Office Department—to the Committee on the Post-Office and Post-Roads.

By Mr. FLYNN: Petitions of bar associations of the counties of Payne, Wood, and Pottawatomie, Okla., asking for separate supreme court for Oklahoma—to the Committee on the Judiciary.

By Mr. GARDNER of New Jersey: Petition of citizens of Mays Landing, N. J., favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

Also, petition of the Presbyterian Church of Barnegat, N. J., urging the restriction of the liquor traffic with natives of Africa—to the Committee on Foreign Affairs.

Also, petition of the Presbyterian Synod of New Jersey, urging the exclusion of all spirituous liquors from our insular possessions—to the Committee on Insular Affairs.

By Mr. GILL: Petition of S. M. Reid and other citizens of Steubenville, Ohio, favoring provision for an adequate and permanent supply of water for the Pima and Papago Indians—to the Committee on Indian Affairs.

By Mr. GRAHAM: Resolutions of select and common councils of Philadelphia, Pa., in favor of Senate bill No. 727, known as the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. GRIFFITH: Papers in support of House bill No. 13553, for the relief of Otho Adams—to the Committee on Claims.

By Mr. JACK: Papers to accompany House bill No. 10471, for the removal of the charge of desertion against John B. Taylor, late a private in Company D, Sixty-second Pennsylvania Infantry—to the Committee on Military Affairs.

By Mr. McALEER: Petition of select and common councils of the city of Philadelphia, Pa., in favor of the passage of Senate bill No. 727, known as the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. MOODY of Massachusetts: Petition of the Indian Association of Salem, Mass., relative to an adequate and permanent supply of living water for irrigation purposes for the Pima and Papago Indians—to the Committee on Indian Affairs.

By Mr. MORRELL: Resolutions of select and common councils of Philadelphia, Pa., in favor of Senate bill No. 727, known as the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. NORTON of Ohio: Papers in support of House bill granting an increase of pension to William Minnick—to the Committee on Invalid Pensions.

By Mr. SIBLEY: Petition of 100 citizens of North Warren, Pa., and 50 citizens of Sandy Lake, Pa., for ratification of treaty between civilized nations—to the Committee on Foreign Affairs.

SENATE.

SATURDAY, January 26, 1901.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

MILITARY RESERVATIONS IN PORTO RICO.

The PRESIDENT pro tempore. The Chair lays before the Senate a report of the board of officers, which has been approved by the Secretary of War, relative to the turning over to civil officers certain parks, barracks, hospitals, etc., in Porto Rico used for military purposes and the acquisition of other land for the extension of military reservations. The communication, with the accompanying papers, will be printed, and, with the maps, referred to the Committee on Pacific Islands and Porto Rico. The Chair thinks that perhaps the maps should not be ordered printed for the present.

REGULAR OFFICERS AS OFFICERS OF VOLUNTEERS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 10th instant, a statement prepared by the Adjutant-General of the Army of all officers of the Regular Army who were appointed to be officers of volunteers since May 1, 1898, the rank held by such officers in the Regular Army when so appointed, etc.; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

CREDENTIALS.

Mr. HEITFELD presented the credentials of Fred T. Dubois, chosen by the legislature of the State of Idaho a Senator from that